HANDBOUND
AT THE

UNIVERSITY OF
TORONTO PRESS

Digitized by the Internet Archive
in 2007 with funding from
Microsoft Corporation

http://www.archive.org/details/collections01newyuoft

3 Hist N.
3520
(13)

COLLECTIONS

OF THE

NEW-YORK

HISTORICAL SOCIETY,

FOR THE YEAR 1809.

VOLUME I.

Esti non prosunt singula, juncta juvent.

I
239.24
30
1
9

NEW-YORK:
Printed and published by I. Riley.
1811.

DISTRICT OF NEW-YORK, ss.

BE IT REMEMBERED, That on the twenty-third day of March, in the thirty-fifth year of the Independence of the United States of America, ISAAC RILEY, of the said district, hath deposited in this office the title of a book, the right whereof he claims as proprietor, in the words and figures following, to wit:

"Collections of the New-York Historical Society. For the year 1809. Volume I. Esti non prosunt singula, juncta juvent."

IN CONFORMITY to the act of the Congress of the United States, entitled, "An act for the encouragement of learning, by securing the copies "of maps, charts and books, to the authors and proprietors of such copies, "during the times therein mentioned;" and also to an act, entitled, "An "act, supplementary to an act, entitled, an act for the encouragement of "learning, by securing the copies of maps, charts and books, to the authors "and proprietors of such copies, during the times therein mentioned, and "extending the benefits thereof to the arts of designing, engraving and "etching historical and other prints."

CHARLES CLINTON,
Clerk of the District of New-York.

F
116
N62
v.1

PREFACE.

CONFORMABLY to one of the profest objects of their institution, the *New-York Historical Society* have compiled the present volume, consisting of several journals connected with the discovery of New-York, and a few documents relating to its civil and political transactions in the early stages of its settlement.

Events of this nature, so curious and interesting in the annals of every nation, can be traced with less difficulty, and ascertained with more precision, in the history of our country, than in that of almost any other. The first navigators who directed their course across the atlantic, were incited by curiosity to remark, and by the hope of renown to record, every circumstance and incident attending their first visit to the unknown coasts, and unexplored bays and rivers of America.

On their return to the countries from which they had sailed, their journals were sought for with eagerness, and the press was employed to preserve and diffuse the account of their discoveries. The journal of Henry Hudson, "who in the first ship, broke the unknown wave" of our wide circling bay and majestic river, has in this manner been fortunately preserved; and although not so minutely descriptive as our curiosity leads us to expect, yet is nevertheless sufficiently interesting to attract our attention, and certainly deserves to be perpetuated. The collection of

voyages by Purchas, published in the year 1625, and which is still extant, contains this journal; but as these volumes are very rare, and as the surest way to preserve a record is to multiply copies, the present opportunity is taken to exhibit it to the public in a new form, more covenient than the original edition.

As nothing appears to be known of the life and character of Hudson, but what is to be found in the history of his voyages, it cannot prove uninteresting to those who inhabit the borders of the noble river which bears his name, to read the brief memorials which remain of the enterprising spirit of this distinguished navigator, and of the calamities which terminated his adventurous career. With this view, the journals of his two last voyages, previous to his discovery of New-York, and of his last expedition, in which he fell a victim to the disaffection and barbarity of his crew, are allotted a conspicuous place in the present collection.

The commemorative discourse, prefixed to this volume, by referring to the voyage of *Verrazzano*, renders the publication of his journal also peculiarly proper, in order that every reader may judge for himself, whether his discovery applies to the harbour of New-York, or to some other place.

The circumstances attending the first settlement of the United States, are, with some exceptions, as correctly to be ascertained as those of the original discovery. The leaders of the first adventurers who emigrated to these shores, being men of intelligence and foresight, and contemplating not merely a temporary refuge, but the establishment of permanent colonies or states; were desirous of transmitting to their suc-

cessors, and to posterity, some memorial of their civil transactions. In most of the principal states, such records are to be found, and furnish the historian with much minute and local information. It is to be regretted, however, that with respect to New-York, from its first settlement by the Dutch in 1614 until 1636, there are scarcely any records remaining relative to the public affairs of the community. The English settlers on Connecticut river, were regarded, it appears, by the Dutch, as encroaching upon their territory, and in the year 1638 a prohibition was issued by William Kieft, the second Dutch governor, forbidding the English to trade at the Dutch posts established on that river. This, it seems, gave rise to a sharp controversy; and the publication of the documents, commencing with the protest of Kieft, and concluding with the articles of agreement relative to the partition line, will not, probably, prove unacceptable to the curious mind.

A statesman of the present day cannot, perhaps, refrain from smiling at the quaint style of these documents, and at the simple nature of the grievances and aggressions which are the chief subjects of this official correspondence. And yet, perhaps, when considered in relation to remote consequences, resulting from the maintenance or relinquishment of territorial rights; the disputes of these rude and rival colonists, who were opening paths through the wilderness for the progress of cultivation, and marking out the ground plot, on which are now rising the wide and lofty fabrics of two powerful states, are not to be regarded as insignificant or uninteresting.

In a few years afterwards, however, the Dutch ceased to be a party in this contention, being compelled by conquest to resign their territory to the dominion of Great Britain. A new system of government was then introduced by the authority of the Duke of York, to whom King Charles II. had made a grant of the colony, and a new body of laws was thereupon compiled under the direction of Nicolls, the first English governor. This code, it appears, was promulgated in every county, under the name of the "Duke's Laws," a copy of which, transcribed from the records of Hempstead, on Long-Island, will be found at the close of the present publication. These laws continued in force till the period of the revolution in England, and ceased to have effect in the year 1691, when the general assembly of the province began to exercise a new legislative power under the sovereignty of King William.

The documents contained in this volume are arranged, for the most part, in chronological order. This method, though convenient, and deemed expedient in the present case, is by no means considered as essential, or even important in a compilation, professing to furnish *materials* for historical composition, rather than connected history. Should the society be enabled by public patronage, to compile a series of volumes like the present, they will consider themselves as at perfect liberty to adhere to this plan, or to disregard it at pleasure.

The publication of the list of the members, and the catalogue of donations, is reserved for the next volume.

CONTENTS.

The Constitution of the New-York Historical Society, 1

A Discourse, designed to commemorate the Discovery of New-York, delivered before the New-York Historical Society, Sept. 4, 1809, by Samuel Miller, D. D. - 19

The relation of *John De Verrazzano*, of the land by him discovered, in the name of his Majestie Francis the First, anno 1524, - - - - - 45

The voyage of Henry Hudson towards the North Pole, anno 1607, - - - - - 61

A second voyage of Henry Hudson for finding a passage to the East Indies, by the north-east, anno 1608, 81

The third voyage of Henry Hudson towards Nova Zembla, &c. and along the coast, to 42 degrees and a half, and up the river (the Hudson) to 42 degrees, anno 1609, 102

An abstract of the journal of Henry Hudson, for the discovery of the north-west passage, begun in April in the year 1610, and ending with his death, - 146

Documents extracted from the second volume of Hazard's "*Historical Collections*," - - - 189

Laws established by James Duke of York, for the government of New-York, in the year 1664, - 307

THE

CONSTITUTION

OF THE

NEW-YORK HISTORICAL SOCIETY.

INSTITUTED THE 10th OF DECEMBER, 1804.

INCORPORATED THE 10th OF FEBRUARY, 1809.

I. This Society shall be denominated "*The New-York Historical Society.*"

II. The object of the Society shall be to discover, procure, and preserve whatever may relate to the natural, civil, literary, and ecclesiastical history of the United States in general, and of this State in particular.

III. The Society shall consist of resident and honorary members; the former, to be persons residing in the State of New-York; the latter, persons residing elsewhere.

IV. The officers of the Society, to be elected annually and by ballot, shall be,

A President,
A first Vice-President,
A second Vice-President,
A Treasurer,
A Recording Secretary,
A Corresponding Secretary,
A Librarian,
A Standing Committee of seven Members.

V. It shall be the duty of the Standing Committee to solicit and receive donations for the Society; to recommend plans for promoting its objects; to digest and prepare business; and to execute such other duties as may, from time to time, be committed to them by the Society. They shall meet once at least in every three months; and at each annual meeting they shall make a report to the Society of the principal acquisitions and transactions of the preceding year.

VI. All members (honorary members excepted, with whom it shall be optional) shall pay, on admission, the sum of *ten dollars*, and an additional sum of *two dollars* annually, or the sum of *thirty-five dollars* as a commutation for the annual payment.

VII. The Society shall meet quarterly, to wit, on the second Tuesdays in January, April, July, and October; but the President, or, in his absence, either of the Vice-Presidents, may call a special meeting, on giving eight days' notice thereof, to be published in at least two public newspapers printed in the city of New-York. The election of officers shall be at the meeting on the second Tuesday in January, and by a majority of ballots.

VIII. The admission of members shall be by ballot; and there shall be a previous nomination of the persons at the last preceding quarterly meeting.

IX. The constitution may be amended, from time to time, as the Society shall deem proper; but a motion for an amendment shall not be received unless a notice thereof shall have been given, and entered on the journals of the Society at the last preceding quarterly meeting.

BY-LAWS

OF THE

NEW-YORK HISTORICAL SOCIETY.

I. FIVE members shall constitute a quorum for the transaction of business; but no alteration of the constitution, or addition thereto, shall be made, nor any member elected, unless nine members at least be present, and two-thirds of them vote for the same.

II. It shall be the duty of the President, or, in his absence, of either of the Vice-Presidents, or in the absence of the President and Vice-Presidents, then of the Chairman or some member of the Standing Committee, to preside at all meetings of the Society, to regulate the debates, and to preserve order and decorum; and in case an equal number of votes shall be given on the affirmative and negative of any question, the presiding officer shall have a casting vote.

III. The *Recording Secretary* shall have the custody of the constitution, by-laws, records, and papers of the Society. He shall, under the direction of the President or Vice-Presidents, give due notice of the time and place of all meetings of the Society, and attend the same; and as soon as the President or other presiding officer shall have taken the chair, he shall read the minutes of the preceding meeting, and shall keep fair and accurate records of all the orders and proceedings of the Society. In the absence of the Recording Secretary, his duty shall be performed by the Corresponding Secretary.

The *Corresponding Secretary* shall have the custody of all letters and communications of the So-

ciety; he shall attend all meetings, and read such letters and communications as he may have received: he shall prepare all letters to be written in the name of the Society, to any person or persons, to be approved of by the Society, and signed by the President; but the Society may, if they think proper, appoint a special committee to draw up any letter. He shall keep, in suitable books to be provided for that purpose, true copies of all letters written in the name of the Society, and preserve the originals of all letters and communications received. In the absence, sickness, or other inability of the Corresponding Secretary, his duties shall be performed by the Recording Secretary.

IV. The *Treasurer* shall receive and keep all sums of money due and payable, and all donations and bequests of money or other property made to the Society. He shall pay all such sums as the Society shall direct, to the order of the President or presiding officer of the Society, and such sums as the Standing Committee may be authorized to draw for the ordinary expenses of the Society. He shall keep a true and faithful account of all moneys received and paid by him, and once in every year render a particular statement of the same to the Society, who may appoint a committee of three members to examine and audit the accounts of the Treasurer.

V. The person first named on the *Standing Committee* shall be the Chairman, and the person last named the Secretary of the Committee. It shall be the duty of the Chairman to give notice to the members of the Committee of the time and place of meeting, and to call special meetings of the Committee whenever it may be requisite. It shall be the duty of the Secretary to keep accurate minutes, in a book to be provided for that purpose, of all the proceedings of the Committee, and, under the direction of the Chairman, to prepare all reports to the Society, to be approved by a majority of the Committee.

They shall regulate and pay all the ordinary expenses of the Society, and shall have power to draw on the Treasurer for that purpose; such orders to be signed by the Chairman and Secretary, or, in the absence of the Chairman, by the senior member of the Committee. They shall, when required, assist the Librarian and Keeper of the Cabinet, in the arrangement of the books, papers, manuscripts, and articles belonging to the library and cabinet; and shall, once a year at least, inspect the state of the library and cabinet, and report the same to the Society.

VI. All donations of books, pamphlets, manuscripts, and articles of curiosity, made to the Society, shall be received with thanks, and entered in the books of the Standing Committee, with the names of the donors, and a report thereof be made at the next meeting of the Society.

VII. The *Librarian* shall also be the Keeper of the Cabinet until the Society think proper to appoint another person to that office; he shall carefully keep and preserve, in suitable cases to be provided for that purpose, or in such manner as the Standing Committee may direct, all the books, pamphlets, manuscripts, and articles belonging to the Society.

All pamphlets, except duplicates, shall be bound in volumes, and all the books shall be numbered by a label on the outside, and on the title-page of each volume shall be written the number, and the words, "The property of the Historical Society." All manuscripts to be marked and numbered, and kept in cases to be numbered, and the contents marked on the outside. Every member taking any book or manuscript out of the library, shall give a receipt for the same in a book to be provided for that purpose; which receipt shall contain a promise to return the book within three months, and to make good all damages which the book may suffer in the mean time; and in case the book shall not be returned within the time specified, that he will replace the same, if it can

be obtained, or deliver to the Librarian such book or books as in the opinion of the Standing Committee shall be of equal value, or pay the value thereof in money; but the Standing Committee may direct the Librarian not to lend such particular books and manuscripts as are of great rarity or value.

No book or manuscript shall be lent to any person but a member of the Society; and if any other person is desirous to have the use of any book or manuscript, application must be made in his behalf to the Librarian, by one of the members, who shall give a receipt for such book or manuscript, expressing the name and place of abode of the person to whom the same is lent, and engaging for the return of it within three months, and to be accountable for the damage or loss thereof.

TO THE PUBLIC.

THE ADDRESS OF THE NEW-YORK HISTORICAL SOCIETY.

HAVING formed an association, for the purpose of discovering, procuring, and preserving whatever may relate to the natural, civil, literary, and ecclesiastical history of our country, and particularly of the State of New-York, we solicit the aid of the liberal, patriotic, and learned, to promote the objects of our institution.

The utility of societies for the advancement of science, has been so fully proved by the experience of the most enlightened nations of Europe, and by that of our own country, that there can be no need, at this time, of any formal arguments in support of their claim

to public patronage. But it may be observed, that, in this State, if we except the Agricultural Society, there is no association for the purposes of general knowledge; and the want of a regular, minute, and authentic History of New-York, renders the combined efforts of individuals for that object more peculiarly necessary.

It is well known that many valuable manuscripts and papers relative to the history of our country, remain in the possession of those, who, though unwilling to entrust them to a single person, yet would cheerfully confide them to a public institution, in whose custody they would be preserved for the general benefit of society. To rescue from the dust and obscurity of private repositories such important documents, as are liable to be lost or destroyed by the indifference or neglect of those into whose hands they may have fallen, will be a primary object of our attention.

The paucity of materials, and the extreme difficulty of procuring such as relate to the first settlement and colonial transactions of this State, can be fully perceived by those only who have meditated on the design of erecting an historical monument of those events, and have calculated the nature and amount of their resources; for without the aid of original records and authentic documents, history will be nothing more than a well-combined series of ingenious conjectures and amusing fables. The cause of truth is interesting to all men, and those who possess the means, however small, of preventing error, or of elucidating obscure facts, will confer a benefit on mankind by communicating them to the world.

Not aspiring to the higher walks of general science, we shall confine the range of our exertions to the humble task of collecting and preserving whatever may be useful to others in the different branches of historical inquiry. We feel encouraged to follow this path by the honourable example of the Massachusetts

Society, whose labours will abridge those of the future historian, and furnish a thousand lights to guide him through the dubious track of unrecorded time. Without aiming to be rivals, we shall be happy to coöperate with that laudable institution in pursuing the objects of our common researches; satisfied if, in the end, our efforts shall be attended with equal success.

Our inquiries are not limited to a single State or district, but extend to the whole Continent; and it will be our business to diffuse the information we may collect in such manner as will best conduce to general instruction. As soon as our collection shall be sufficient to form a volume, and the funds of the Society will admit, we shall commence publication, that we may better secure our treasures by means of the press, from the corrosions of time and the power of accident.

That this object may be sooner and more effectually attained, we request that all who feel disposed to encourage our design, will transmit, as soon as convenient, to the Society,

Manuscripts, Records, Pamphlets, and Books relative to the History of this Country, and particularly to the points of inquiry subjoined;

Orations, Sermons, Essays, Discourses, Poems, and Tracts; delivered, written, or published on any public occasion, or which concern any public transaction or remarkable character or event;

Laws, Journals, Copies of Records, and Proceedings of Congresses, Legislatures, General Assemblies, Conventions, Committees of Safety, Secret Committees for General Objects, Treaties and Negotiations with any Indian Tribes, or with any State or Nation;

Proceedings of Ecclesiastical Conventions, Synods, General Assemblies, Presbyteries, and Societies of all denominations of Christians;

Narratives of Missionaries, and Proceedings of Missionary Societies;

Narratives of Indian Wars, Battles and Exploits; of the Adventures and Sufferings of Captives, Voyagers, and Travellers;

Minutes and Proceedings of Societies for the Abolition of Slavery, and the Transactions of Societies for Political, Literary, and Scientific Purposes;

Accounts of Universities, Colleges, Academies and Schools; their origin, progress and present state;

Topographical descriptions of Cities, Towns, Counties, and Districts, at various periods, with Maps and whatever relates to the progressive Geography of the Country;

Statistical Tables; Tables of Diseases, Births and Deaths, and of Population; of Meteorological Observations, and Facts relating to Climate;

Accounts of Exports and Imports at various periods, and of the progress of Manufactures and Commerce;

Magazines, Reviews, Newspapers, and other Periodical Publications, particularly such as appeared antecedent to the year 1783;

Biographical Memoirs and Anecdotes of eminent and remarkable Persons in America, or who have been connected with its settlement or history;

Original Essays and Disquisitions on the Natural, Civil, Literary or Ecclesiastical History of any State, City, Town or District.

As the Society intend to form a Library and Cabinet, they will gratefully receive specimens of the various productions of the American Continent, and of the adjacent Islands, and such animal, vegetable, and mineral subjects as may be deemed worthy of preservation. Donations also of rare and useful books and pamphlets, relative to the above objects, will be thankfully accepted, and all communications duly noticed in the publications of the Society.

QUERIES

As to those points on which the Society request particular information.

1. Can you give any information concerning the first settlement of your Town or District by white people, and the number and condition of the first settlers; the names of the principal persons; the circumstances attending the settlement, and the motives which led to it?

2. Do you know any thing, more particularly, respecting the first settlement of New-York by the Dutch; the number of the settlers; the time of their arrival; their general character; their condition with respect to property; the authority and encouragements under which they came; or any other circumstances attending the first attempt at colonization?

3. Can you communicate any documents which will throw light on the first organization of civil government in any part of the United States; or which will give authentic information concerning the names, general character, powers, salaries, &c. of the principal civil officers appointed at different periods? Especially, when did the first regular organization of a colony in *New-Netherlands* take place? What was the nature of the government established? Who was the first Chief Magistrate, his title, powers, and character?

4. Is there any thing known concerning *Wouter Van Twiller*, or *William Kieft*, who preceded Governor *Stuyvesant* in the Chief Magistracy of *New-Netherlands*? How long did each remain in office? What stations or offices did they fill prior to their appointment here? Were they removed by death or

resignation, or for ill behaviour? If in either of the latter ways, how were they disposed of afterwards?

5. In what years were the first *Forts* built at *Albany*, (*then called Fort Orange*,) and at *New-York*, (*then called New-Amsterdam?*) Of what numbers did the respective garrisons consist, as well at first as at different periods afterwards? And who were the commanding officers in each, previous to the arrival of the first Governor or Director General?

6. What proportion of the first settlers in *New-Netherlands* appear to have attached themselves to agriculture, and what proportion to trade? In what districts did these two classes chiefly reside? To what objects of cultivation did the former chiefly devote themselves? And what were the principal objects of the trade in which the latter engaged?

7. Can you communicate any facts which will throw light on the state of *Commerce* in any particular portion of our country, at different times, and especially at early periods; the number of ships belonging to particular ports; the amount of exports and imports for a series of years; the principal articles exported and imported, and from whence brought?

8. At what period do the most common and simple *Manufactures* appear to have been commenced in your district? And what facts can you furnish respecting the progress of manufactures since that period?

9. Can you give any information concerning the number of *houses* and *inhabitants* in your town, at different periods, since the first settlement?

10. What information do you possess respecting the state of the *Militia* in your district, especially at the early periods of its history, particularly their numbers, organization, mode of equipment, &c.?

11. Can you communicate any books, or other documents which will give authentic information concerning any of the numerous *territorial disputes* which have taken place between different portions of the

United States, especially between the Colony and State of New-York and the surrounding Colonies and States?

12. Is it in your power to furnish any information concerning the *Indian tribes* which formerly inhabited your district, or which may now occupy any portion of it; concerning their numbers and condition when first visited by the whites; their trade, disputes, wars, and treaties, either among themselves or with the white people; their character, customs, and general history, together with their present numbers and state?

13. What were the *Indian names* of the mountains, valleys, rivers, lakes, springs, caverns, or other remarkable places in your neighbourhood? And what do well informed people suppose to be the import of those names?

14. Are you in the possession of any records which will tend to elucidate the *ecclesiastical history* of any portion of our country? Can you give any information concerning the erection of churches, and the establishment of congregations in your district of every different denomination, from the earliest periods of settlement; the names of all the ministers who have had pastoral charges, the dates of their settlement and removal, whether by death or otherwise; the changes, either progressive or retrogade, which congregations have undergone with respect to numbers, property, &c. ecclesiastical disputes, or any remarkable persons or events which pertain to ecclesiastical history?

15. When were *Schools* and other *seminaries* of *learning* first instituted in your town? What have been their numbers at different periods since that time? Can any information be had concerning their funds, number of scholars, and general character at different times from the first settlement to the present day?

16. When was the first *Printing-press* established in your town, and by whom? When was the first

book, pamphlet, or newspaper printed? Who was the first *bookseller* in your town? And what have been the number of printing presses and book stores, at different periods, to the present time?

17. Have you any public *Libraries?* If any, when were they first instituted, by whom, and what is the number of volumes in each?

18. Can you furnish any information concerning the *progress of luxury?* Do you possess any records or anecdotes respecting the introduction of the most conspicuous articles of elegant indulgence, such as *wheel-carriages*, &c. &c.?

19. Can you give any information which will throw light on the state of *morals* in our country, at different periods, such as the comparative frequency of *drunkenness*, *gaming*, *duelling*, *suicide*, *conjugal infidelity*, *prostitution*, &c. &c.?

20. What remarkable laws, customs, or usages, either local or general, at early periods of our colonial establishments, have come within your knowledge?

21. Can you furnish descriptions, drawings, or other communications concerning *mines*, *mineral springs*, *ancient fortificatians*, *caverns*, *mountains*, *rivers*, *lakes*, or any other *natural curiosities*, together with minute information concerning the dates of their discovery, or of other remarkable events respecting them, and in general every fact which may throw light on their origin and history?

22. What information can you give concerning the dates and progress of the various *improvements* which have taken place in the departments of politics, commerce, manufactures, agriculture, literature, or humanity?

23. Do you possess any records concerning *seasons* remarkable for the extremes either of *heat* or *cold*, *scarcity* or *plenty*, *sickness* or *health?* Can you communicate *bills of mortality*, histories of *epidemic diseases*, &c.?

AN ACT TO INCORPORATE THE NEW-YORK HISTORICAL SOCIETY.

Passed February 10th, 1809.

WHEREAS the persons hereinafter named and others, have formed themselves into an association, under the name of " The New-York Historical Society," for the purpose of discovering, procuring and preserving whatever may relate to the natural, civil, literary and ecclesiastical history of the United States in general, and of this State in particular, and have presented a petition to the legislature to be incorporated, that thereby such, the purpose and design of the said Society may be the more effectually subserved and promoted.—Therefore,

1. *Be it enacted by the people of the state of New-York, represented in senate and assembly*, That Egbert Benson, Brockholst Livingston, Benjamin Moore, Samuel Miller, William Johnson, Samuel L. Mitchell, David Hosack, John M. Mason, De Witt Clinton, John M'Kesson, Anthony Bleecker, Charles Wilkes, John Pintard and John Forbes, and their associates who now are, and such other persons as shall hereafter become members of the said Society, shall be, and are hereby ordained, constituted and declared a body corporate and politic, in fact and name, by the name of " The New-York Historical Society," and that by such name they and their successors for ever hereafter shall and may have succession, and by the same name be capable in law to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all courts of law and equity, in all manner of actions, suits, complaints and matters whatsoever; and that they and their successors may have a common seal, and the same break, alter, change and renew at their pleasure, and by the

same shall be for ever hereafter capable in the law to purchase, take, hold, receive and enjoy, to them and their successors, any lands, tenements, hereditaments, goods, chattels or estate, real or personal, of whatever nature or quality, in fee-simple, for life or lives, or for years, or in any other manner whatsoever: *Provided always*, That the yearly income or value of the said real or personal estate do not at any time exceed the sum of fifteen hundred dollars, current money of the state of New-York.

2. *And it is hereby further enacted*, That they and their successors, by the same name, shall have power and authority to give, grant, bargain, sell, demise, release and convey to others the whole or any part of such real or personal estate, on such terms and in such manner and form as the said society may deem eligible to subserve and promote such the purpose and design of the said Society; and that they and their successors shall have power from time to time to abolish any of the offices or appointments hereinafter mentioned, and create others in their room, with such powers and duties as they may think fit to confer and prescribe, and shall have power from time to time to make, constitute, ordain and establish such constitution, by-laws, ordinances and regulations as they shall judge proper for the election of officers, the election and admission of new members, for the government and regulation of the officers and members, for fixing the times and places of the meetings of the said corporation, and for conducting, regulating and managing all the affairs and business of the said corporation, and the same from time to time to alter, change, repeal, revoke and annul at their pleasure; and that the constitution and by-laws, rules and regulations of the said Society heretofore made and adopted, and now existing, shall and may remain in force, until altered or repealed by the said corporation: *Provided*, That such by-laws, constitution and regulations, made or to be made by the said corpo-

ration, shall not be repugnant to the constitution and laws of the United States, or of this State.

3. *And be it further enacted*, That the officers of the said Society, until otherwise ordained by the said corporation, shall consist of one President, two Vice-Presidents, a Corresponding Secretary, a Recording Secretary, a Treasurer, a Librarian, and Standing Committee of seven Members, and that until the next annual meeting of the said Society, and until others shall be chosen in their places, the present officers and committees last appointed by the said Society shall be and continue respectively the officers of the said corporation.

4. *And be it further enacted*, That this act shall be and is hereby declared to be a public act, and shall be construed most favourably to subserve and promote such the purpose and design of the said Society, and that no misnomer of the said corporation, in any deed, will, testament, gift, grant, demise, or other instrument of contract or conveyance, shall vitiate or defeat the same: *Provided*, the said corporation shall be sufficiently described to show the intention of the parties.

5. *And be it further enacted*, That this act shall be and remain in full force for the term of fifteen years: *Provided nevertheless*, That in case the aforesaid Society shall at any time appropriate their or any part of their funds to any purpose or purposes other than those contemplated by this act, and shall be thereof convicted by due course of law, that thenceforth the said corporation shall cease and determine, and the estate real and personal whereof it may be seised and possessed shall vest in the people of this state.

A

DISCOURSE,

DESIGNED TO COMMEMORATE THE DISCOVERY OF NEW-YORK

BY HENRY HUDSON;

DELIVERED BEFORE THE

NEW-YORK HISTORICAL SOCIETY,

SEPTEMBER 4th, 1809;

BEING THE COMPLETION OF THE SECOND CENTURY SINCE THAT EVENT.

BY SAMUEL MILLER, D. D.

One of the Pastors of the First Presbyterian Church in the City of New-York, and Member of the Historical Society.

NEW-YORK HISTORICAL SOCIETY.

SEPTEMBER 4th, 1809.

RESOLVED, *that the thanks of this Society be presented to the Reverend Doctor* MILLER, *for his Discourse delivered this day, commemorative of the discovery of this part of America by* HUDSON, *on the 4th of September*, 1609; *and that he be requested to furnish a copy for publication.*

Extract from the minutes,

JOHN PINTARD,

Recording Secretary.

A DISCOURSE, &c.

Gentlemen of the Historical Society,

TO trace the progress of discovery and migration, is one of the most curious researches in the history of the human mind. When the successive steps of this progress are contemplated in general views, and at distant periods, they afford high gratification both to the philanthropist and the philosopher. But when they are considered in connection with memorable times, places, or persons; when we are enabled to say, on *this day*, or, on *this spot*, some great discovery, or some signal achievement, was accomplished, we experience a new and more impressive emotion. And above all, when events, in their own nature important, stand in close connection with persons or places particularly related or endeared to ourselves, they acquire an interest of the highest kind.

The event which we are assembled to commemorate is of this character. It is, in itself, one of the most important that occur in the early history of our country. But it is peculiarly interesting to AMERICANS; and especially so to every citizen of our OUR OWN STATE. The SECOND CENTURY is THIS DAY completed, since the date of what deserves to be styled the DISCOVERY OF NEW-YORK. When we recollect this; when we look back upon the scenes which have since been exhibited upon this territory; and when we look around us, and contemplate the situa-

tion and prospects which, under the smiles of a benignant Providence, we have attained;—the occasion is surely calculated to swell the mind with various and deep emotions.

In resolving to celebrate this day, the HISTORICAL SOCIETY has adopted a measure which was due to the Occasion and to itself. And happy shall I be, if, in discharging that part of the duty which devolves on me, I shall be able to contribute, in the smallest degree, either to the suitable celebration of the Anniversary, or to the entertainment of this audience.

In undertaking the task, Gentlemen, with which you have been pleased to honour me, I have supposed that the plan of discourse most likely to fulfil your wishes, most conformable with the design of our institution, and certainly most commensurate with my own powers, and most agreeable to my own taste, would be that of a *plain historical memoir*. Instead, therefore, of attempting to entertain you with philosophical disquisition, or with rhetorical addresses to the imagination, I shall confine myself to a simple account of the DISCOVERY which we celebrate, together with some of the circumstances which preceded and followed that event. And if the plainness of unadorned narrative should exercise your patience, I trust the recollection, that you are listening to a recital of *well authenticated facts*, which took place two centuries ago, and some of them at a still more remote period, near the spot where we now stand, will guard you against excessive weariness.

One of the most signal proofs of the low state of the art of navigation, and of the extremely narrow limits of human intercourse, in the sixteenth century, is to be found in the fact, that, for more than a hundred years after the discovery of the American continent, scarcely any thing was known of *North America*, even by the most enlightened and enterprising nations of the earth. But these are not the only reasons to be

assigned for the slow progress of discovery and of settlement, in this portion of the new world. The circumstances in which the principal nations of *Europe* were placed, during the greater part of the century in question, were peculiarly unfavourable both to the formation and execution of great plans, for the advancement of human knowledge, and the promotion of human happiness. *England*,* through the whole of this period, was either agitated and weakened by intestine broils, or exhausted by an unwise interference in foreign wars. And that immense navy, which has since enabled her to give law to the ocean, and which forms a new wonder of the world, had, then, scarcely reached even the infancy of its existence.† During the same period, the strength and resources of *France* were so much wasted by the fruitless expeditions of her monarchs into Italy, by an unequal contest with the power and policy of *Charles* V. and by the civil wars by which she was desolated for near half the century, that she could neither bestow much attention upon objects of commercial enterprise, nor engage with spirit in plans of distant discovery. *Spain*, although then in possession of a navy which was the terror of *Europe*, was either so much occupied with European wars, or so intent on prosecuting her discoveries and conquests in *South America*, that she had neither leisure nor inducement to think of directing her attention to this part of our continent. The *precious metals* have ever formed one of the most attractive objects of human

* See *Robertson's Historical Disquisition concerning Ancient India*, sect. 4. p. 154. &c.

† "*Henry* VII. expended 14,000*l.* sterling in building one ship, called the *Great Harry*. This was, properly speaking, the *first ship* in the English navy. Before this period, when the prince wanted a fleet, he had no other expedient than *hiring* or *pressing* ships from the merchants." *Hume*, vol. 3. chap. 26.

cupidity. Soon after the discovery of *America*, the Spaniards began to cherish the confident hope of finding in their southern possessions immense treasures of silver and gold. These hopes were abundantly realized by the discovery of the mines of *Potosi*, in 1545, and those of *Mexico* shortly afterwards. From that period every object appeared insignificant which was not connected with a similar allurement. The *United Provinces of Holland*, recently formed into an independent nation, and struggling with many difficulties, were not, as yet, in a situation to seek important objects abroad. And *Portugal*, then in the zenith of her power, was exclusively devoted to the lucrative trade of *India*, which she was permitted by the surrounding nations almost entirely to monopolize, for near a century after the famous discovery of a passage to that country by *Vasco de Gama*. The trade of *India* displayed attractions greatly beyond any thing that this portion of *North America* offered to the eye of the adventurer. The spices, the precious stones, and all the elegant manufactures of the east, were justly considered as more certain and abundant sources of wealth than almost any other part of the globe could promise.

No wonder, then, when it seems to have been early understood, that *North America* could by no means vie with the southern part of our continent in the precious metals, nor with *India* in her various elegant and luxurious productions ; no wonder that the chief ardour of discovery, conquest and settlement was directed to countries of richer promise, and of milder climate than these latitudes had to offer.

The first account which we have of this part of *America* having been visited by European navigators, is found in the voyage of *John and Sebastian Cabot*, natives of *Venice*, but residing in *England;* who, in the year 1497, in the service of *Henry* VII. and in pursuit of a north-west passage, are said to have sailed along the coast of *North America* from the 67th to

the 26th degree of north latitude. But although the discovery of *Columbus* had excited much interest and conversation in the court of *Henry*, and among the merchants of *England;* although the new world was considered as holding out the grandest objects to human enterprise, both on account of its own riches, and its supposed connection with a new and short passage to the *East Indies;* and although the *Cabots* were undoubtedly navigators of enlarged views and of uncommon skill; yet their voyage does not appear to have resulted in any distinct or satisfactory knowledge, even of the *coast* along which they sailed. They do not appear to have landed any where during this extensive run, nor to have made any observations worthy of being recorded. It is not certain that they even *saw* at a distance any part of the coast which is now *New-York*. They certainly, however, sailed by it, and probably saw it. But still intent on the long sought passage to *India*, and meeting with nothing but what they considered as an obstacle to the attainment of their wishes, they returned to *England* without ascertaining any thing more than the existence of a western continent.

The next enterprise worthy of notice was that of *John de Verrazzano*, a Florentine, in the service of *Francis* I. of *France*. *Verrazzano* had been, for some time, entrusted with the command of four ships, in cruising against the Spaniards. These vessels being separated in a storm, the commander resolved, with one of them, the *Dauphin*, to undertake a voyage for the purpose of discovering new countries. Accordingly, on the 17th day of January, in the year 1524, he sailed from the uninhabited rocks which lie to the east of *Madeira*, and which are called by the English the *Deserters*, and steered a westerly course. About the middle of March he arrived on the American coast, in latitude 34° north; of consequence, near that part of *North Carolina* on which *Wilmington* now stands. From that point of the coast he pro-

ceeded further south, until he came to the region of *palm trees*, which shows that he sailed at least as far in that direction as the southern part of what is now the state of *Georgia*, to the north of which the *palm tree* is not found. He then turned and directed his course northward, until he came to about the latitude of 41° north, where he entered a harbour which, from his description, has been thought to be that of *New-York*.

The principal information which we have concerning this voyage, is contained in a letter, addressed by *Verrazzano* himself, to his master, *Francis* I. on his return to *Europe*. This letter has been happily preserved entire by *Hakluyt*,* whose character for accuracy and fidelity stands too high to admit of suspicion as to the authenticity of the document. *Verrazzano* describes the harbour in the following manner. "This land is situated in the paralele of *Rome*, in forty-one degrees and two terces; but somewhat more colde by accidentall causes. The mouth of the haven lieth open to the south, halfe a league broad, and being entred within it, betweene the east and the north, it stretcheth twelve leagues, where it wareth broader and broader, and maketh a gulfe about twenty leagues in compasse, wherein are five small islands, very fruitful and pleasant, full of hie and broad trees, among the which islandes any great navie may ride safe, without any feare of tempest or other danger."†

If we suppose *Staten* island, and *Manhattan* island to be included in the number *five* of which he speaks, and also the whole of the waters in which these islands are embosomed, to belong to the "gulph," which he represents as "twenty leagues in compass,"

* *Voyages, Navigations, &c. collected by Richard Hakluyt, Preacher, and sometime Student of Christ Church, in Oxford.* Vol. 3. p. 95. folio, 1600.

† *Hakluyt*, p. 300.

the description will be found a tolerably accurate one, and to apply with more probability to the harbour of *New-York* than to any other.*

In this harbour *Verrazzano* appears, from his own account, to have staid about fifteen days. He and his men frequently went on shore, to obtain supplies, and to see the country. He says expressly, "Sometimes our men stayed two or three daies on a little island neere the ship, for divers necessaries." And again, "we were oftentimes within the land five or six leagues, which we found as pleasant as is possible to declare, very apt for any kind of husbandry, of corne, wine, and oyle. We entered afterwards into the woods, which we found so great and thicke, that any army, were it never so great, might have hid itselfe therein; the trees whereof are okes, cipresse-trees, and other sortes unknowen in *Europe*."

These were, probably, *the first European feet* that ever trod on any part of the territory now included within the State of *New-York*. I say *probably*, because, after all that has been discovered and said of *ancient fortifications*, and other supposed monuments of more than savage skill and cultivation, found in our own State and elsewhere, I consider the evidence which they furnish as by far too obscure and doubtful to warrant us in assigning to them, with any degree of confidence, a *European* origin.

Verrazzano appears to have had much intercourse with the natives of the country. They came on

* Dr. *Belknap* says, that the harbour which *Verrazzano* entered, "by his description, must be that of *New-York*." *Biography*, I. p. 33. Others have considered the whole account as agreeing better with the harbour of *Newport*, in *Rhode-Island*. The truth is, there are some difficulties to be surmounted in applying *Verrazzano's* description to either. His *letter*, however, will be published entire in the volume of which this discourse forms a part; and every reader who feels an interest in the inquiry, will, of course, examine and judge for himself.

board of his ship frequently and without reserve; traded with him freely for such articles as he needed; and generally attended his men, in greater or smaller numbers, whenever they went on shore. He describes their persons, dress and customs, in a manner remarkably similar to that of *Hudson*, near a century afterwards. The most curious circumstance concerning them is, that they had, among other ornaments, plates of wrought *copper*.* How these were obtained by the savages at that early period, is a question which the antiquarian may find some difficulty in solving. It is possible that they might have been procured from some preceding visitors of the country from *Europe*. It is certain, however, that copper instruments, of various kinds, were in use, not only among the *Mexicans*, but also among the natives of *Florida*, before the discovery of the country by Europeans.†

From the harbour of *New-York*, *Verrazzano* sailed on the fifth of May, and directed his course east and north-east, until he reached the 56th degree of north latitude, or about the coast of *Labrador*. Thence he sailed towards *France*, where he arrived in the month of July, on the eighth day of which month, at the port of *Dieppe*, he dated his letter to the king, giving an account of his voyage. He gave to the whole country, the coast of which he had visited, and partly explored, the name of *New France*. But his discovery (if it can be called by that name) does not appear to have excited the least attention, nor to have served as a guide to any succeeding navigator. The truth is, his voyage having neither produced nor promised any addition to the revenues of *France*, all

* "Among whom we saw many plates of *wrought copper*, "which they esteeme more than gold, which, for the colour, "they make no account of." *Hakluyt*, 298.

† *Pinkerton's Geography*, vol. 2. p. 401. *Philad. edit.*

further attempts to pursue his discovery were laid aside, and the very memory of it almost permitted to perish. It is distressing to add, that, according to some writers, *Verrazzano*, in a subsequent voyage, was cut to pieces and devoured by the savages.*

After the voyage of *Verrazzano*, nearly a century elapsed before the least addition was made to the knowledge of this part of the American continent. On the discoveries of the English in *Virginia*, and of the French in *Canada*, there is not now time to dwell. In the year 1609, occurred that important event, which we this day commemorate; and which, considered in all its circumstances, deserves to be styled the DISCOVERY of what is now called *New York*.

The author of this discovery was HENRY HUDSON, a native of *Great Britain*. It is to be lamented that nothing is known concerning the birth, the education, or the early history of this celebrated navigator. It is fairly to be presumed, however, from the magnitude and difficulty of the enterprises entrusted to his management, not only in his own country, but elsewhere, that he was highly esteemed; and that he had given indubitable proofs of his intrepidity, skill, and maritime experience.

* *Belknap's American Biography*, vol. 1. p. 159. *Charlevoix*, however, considers this story as not resting on sufficient evidence. He says that *Verrazzano*, "a short time after his arrival in *France*, fitted out another expedition, with the design of establishing a colony in *America*. All that we know of this enterprise is, that, having embarked, he was never seen more, and that it never has been ascertained what became of him." *Hist. Nouv. France*, 1. 7. On the other hand, *Ramusio* very positively asserts, that when *Verrazzano* landed, he and the people who went ashore with him, were cut to pieces and devoured by the savages, in the sight of the rest of the crew, who had remained on board the ship, and were unable to rescue their companions. Dr. *Forster* quotes this account with approbation. *Northern Voyages*, 436.

The question, whether *Hudson* was probably acquainted with the voyage of *Verrazzano*, will naturally arise. It is certain that *Hakluyt's* volume, which contains the account of that voyage, was published in *England* about *nine years* before the date of *Hudson's* discovery. But there is no other circumstance, now known, which gives the least reason to suppose that he was acquainted with the publication, or which at all impairs his claim to the character of an original discoverer.

Hudson is known to have performed two voyages, of great importance, prior to that in which he discovered our *harbour*, and the *river* which has been since called by his name. Notwithstanding all the fruitless attempts which had been made to find a passage to *India* by the north, the hope of still being able to find such a passage was by no means abandoned. Among those who considered such a discovery as practicable, and as worthy of a spirited attempt, was an association of wealthy and enterprising merchants of the city of *London*. Having, with great liberality, raised funds for the purpose, they fitted out a ship, and gave the command of the expedition to *Hudson*. He sailed from *Gravesend*, on the first day of May, in the year 1607. In this voyage, he explored the eastern coast of *Greenland*, to a greater extent than any preceding navigator, and discovered the island of *Spitzbergen*. But failing of his principal object, he returned to *England*, where he arrived on the 15th day of September, in the same year.

It is highly gratifying to know, that, in our inquiries concerning the voyages and discoveries of *Hudson*, we are not left to be guided by conjecture or fable. The journals of *four* of his voyages are extant in *Purchas's Pilgrim*.* Of these, the *third* is

* *Purchas's Pilgrim*, vol. 3. p. 567. 597. *Fol.* 1625.

that in which we are more particularly interested.* From this authentic source, the principal facts which I am to lay before you are derived.

Hudson, having sought in vain the long wished for passage, by sailing directly north, the same association in whose service he had made the first voyage, resolved to make another attempt, the object of which was to find a passage by the north-east. Accordingly, the next year they fitted out another ship; and were so well satisfied with the fidelity and skill displayed by *Hudson*, that they entrusted him with the command of the second expedition. He sailed from *England* on the 22d of April, 1608: but failing in his object, as before, he returned to his native country, after spending on this second enterprise about four months.

Hudson, after accomplishing his second voyage, went over to *Holland*, and, for what reason is now unknown, engaged in the service of the Dutch. Their famous *East-India Company* had been incorporated about seven years before, with a capital of six millions and a half of florins, and with powers more extensive than were ever before granted to a trading corporation. This company determined to fit out a ship for discovery, and to entrust *Hudson* with the command of the expedition. The ship which they engaged for this purpose was a small one. Dr. *Forster* calls it a *yacht*.† It was named the *Half Moon;* and is said to have been navigated by twenty men, Dutch and English. In this vessel, *Hudson* left *Amsterdam* on the 4th, and the *Texel* on the 6th of *April*, in the year 1609.

* The journal of this voyage was kept, apparently, with great fidelity and accuracy, by *Robert Juet*, the mate of the ship. Vol. 3. p. 581. 595.

† *History of Voyages and Discoveries made in the North*, 421.

The original design of *Hudson* in this voyage, was not to visit *America*. He was still intent on discovering a passage to *India*, and hoped to succeed by sailing to the north-west. Having attempted this, without success, he formed the resolution of visiting the New World. He arrived on the American coast, on the 18th of July, in latitude 44 degrees north, at or near the place where *Portland*, in the district of *Maine*, now stands. Here he found a harbour, landed, and remained about six days, for the purpose of replacing a foremast, which he had lost in a storm several weeks before. The natives at this place, appear to have received and treated *Hudson* with great inoffensiveness, and even with hospitality; in return for which, he and his men, without the least provocation, shamefully plundered their property, and violently drove them from their habitations.* This conduct speedily brought on a state of warfare, which obliged him to weigh anchor and put to sea. The natives whom he found in this latitude, were evidently in the habit of trading with the French. They not only asserted themselves that this was the case; but many articles of French manufacture were actually found among them; and some of them had a smattering of the French language.

Pursuing his course southward, *Hudson* came to *Cape Cod* about the 3d of August, and landed there. After this, he continued to sail to the southward and

* The account which the journal gives of this transaction, though short, is sufficiently pointed and comprehensive to justify all the language I have used. Without any preceding record of ill treatment received from the Indians, but the contrary, it states—"The five and twentieth day of July, very faire weather, and hot; in the morning we well manned our scute with foure muskets, and sixe men, and took one of their shallops, and brought it aboord. Then we manned our boat and scute with twelve men and muskets, and two stone pieces or murderers, and drave the salvages from their houses, and took the spoyle of them, as they would have done of us."

westward for one and twenty days, " making remarks on the soundings and currents," until he came to the entrance of *Chesapeake Bay*, about the 24th of August. This was the furthest point of his progress southward. On his return along the coast, on the 28th of August, he discovered the bay now called *Delaware*, into the mouth of which he entered, examining the soundings and currents, and marking the appearance of the country; but does not appear to have landed.

During the six following days, *Hudson* pursued his northerly course, until, on the 3d day of September, he anchored within *Sandy Hook*, which his journal, with almost entire accuracy, states to be in 40° 30′ north latitude. The next day, the 4th of September, he sent a boat on shore for the purpose of fishing. The tradition is, that his men first landed on *Coney* island, which lies near to *Long* island, and now makes a part of *King's* county. On the same day the natives came on board of his ship, as she lay at anchor, conducting themselves with great apparent friendliness, and discovering a strong disposition to barter the produce of their country for knives, beads, clothes, and other articles of a similar kind. The next day, the 5th of September, *Hudson* again sent his boat on shore, for the purpose, as appears from the journal, of exploring and sounding the waters lying to the south, within *Sandy Hook*, and forming what is now called the *Horse-Shoe*. Here the boat's crew landed, and penetrated some distance into the woods, in what is now *Monmouth* county, in *New-Jersey*. They were well received by the natives, who presented them very kindly with, what the journal calls " green tobacco," and also with " dried currants,"*

* These were probably *whortleberries*, or some other wild berries, of a similar kind, which the Indians were accustomed to dry.

which are represented as having been found in great plenty, and of a very excellent quality.

On the 6th of September, *Hudson* sent a boat, manned with five hands, to explore what appeared to be the mouth of a river, at the distance of about four leagues from the ship. This was, no doubt, the strait between *Long* and *Staten* islands, generally called the *Narrows*. Here the writer of the journal observes, "a good depth of water was found," and, within, a large opening, and a narrow river to the west, in which it is evident he refers to what is now called *the Kills*, or the channel between *Bergen-Neck* and *Staten* island. In exploring the bay, and the adjacent waters, the boat's crew spent the whole day. On their way in returning to the ship, towards night, they were attacked by the natives in two canoes; the one carrying fourteen men, the other twelve. A skirmish ensued, in which one of *Hudson's* men, named *John Colman*, was killed, by an arrow, which struck him in the throat, and two more wounded. The next day, the remains of *Colman* were interred on a point of land not far from the ship, which, from that circumstance, received the name of *Colman's Point;* and which was probably the same that is now called *Sandy Hook*.

On the eighth, ninth and tenth days of September, *Hudson* still cautiously rode at anchor without the *Narrows*, and seems to have been chiefly employed in trading with the natives, and in guarding against any insidious attacks which might have been meditated by them, and which he evidently feared. On the eleventh, he sailed through the *Narrows*, and found, as the writer of the journal expresses it, "a very good harbour for all winds." On the twelfth, he first entered the River which bears his name, and sailed up about two leagues. On these two days, the ship was visited by great numbers of the natives, who brought *Indian corn*, *tobacco*, *beans* and *oysters* in abundance, and exchanged them for such trifles as

the ship's company were disposed to barter. They had pipes of "*yellow copper*,"* in which they smoked. They had also various ornaments of *copper;* and *earthen pots*, in which they dressed their meat. But, although they were "civil," as the writer of the journal tells us, and "made shew of love," *Hudson* did not think proper to trust them; and would by no means suffer any of them to remain on board during the night.

From the twelfth to the twenty-second of September, *Hudson* was employed in ascending the river. The journal represents it in general, as about a mile wide, and of a good depth; abounding with fish, among which were "great store of *salmons*."† As he advanced, he found the lands on both sides growing higher, until it became "very mountainous." This high land, it is observed, "had many points; the channel was narrow; and there were many eddy winds." In his passage up the river the natives frequently came on board of his ship, and sometimes in considerable numbers, but always in an amicable manner.‡

* The journal, in another place, says their pipes were of "*red copper*."

† See *Appendix*, note A.

‡ The Indians on the eastern side of the river were called *Mahiccans;* or, as the Dutch styled them, *Mohickanders*. These are the people of whom *De Laet* speaks, under the name of *Mankikani*, and whom he represents as inhabiting the eastern banks of the north river. In his map of "*Nova Anglia, Novum Belgium, et Virginia*," he calls them *Mahicani*. See his *Novus Orbis, seu Descriptionis Indiæ Occidentalis*, p. 73. folio, 1633. Of the *Mahiccans* but a small number remain. The greater part of these are settled at *Oneida* in the state of *New-York*. See *Barton's New Views of the Origin of the Tribes and Nations of America*, 8vo. 1798, 2d edit. *Preliminary Discourse*, p. 31, 32. The Indians inhabiting the *western* bank of the river, from its mouth to the *Kaat's-Kill* mountains, went under

Hudson appears to have sailed up the river a little above where the city of *Hudson* now stands; and beyond that point he himself never ascended. Not considering it as safe to proceed further with his ship, he sent a boat, with five hands, (the mate, who had the command of the expedition, being one,) to explore, and sound the river higher up. The boat proceeded eight or nine leagues beyond where the ship lay at anchor; but finding the soundings extremely irregular, and the depth, in some places, not more than seven feet, it was judged unadvisable to attempt any further progress. It is evident, from the whole account, that the boat went as far as where the city of *Albany* now stands.

It is worthy of notice, that the further they went up the river, the more friendly and hospitable the natives appeared. After they had passed the highlands, the writer of the journal observes, "There we found a very loving people, and very old men; and were well used." On the eighteenth of September, when the ship was lying about twenty-five or thirty miles below the present situation of *Albany*,* "the mate," it is further observed, "went on shore with an old savage, a governor of the country, who took him to his house, and made him good cheer." At this place the savages flocked on board the ship in considerable numbers, bringing with them corn, tobacco, pumpkins and grapes, and some of them beaver and otter skins, which they exchanged for hatchets, knives, beads, and other trifles. On the twentieth of September, *Hudson* and his crew, for the purpose

the general name of the *Sankikani*. *De Laet* speaks of these Indians as the "*infensissimi hostes*" of the *Manhattæ*, or *Manathanes*, a fierce tribe, who inhabited the eastern bank of the river, near its mouth. *Novus Orbis*, p. 72.

* The *Indian* name of the spot on which *Albany* now stands, was *Skenectadèa*. See *Appendix*, note B.

of making an experiment on the temper of the Indians, attempted to make a number of their principal men drunk. But, though they "were all merry," as the journalist expresses it, only one of them appears to have been completely intoxicated. This phenomenon excited great surprise and alarm among his companions. They knew not what to make of it. And it was not until the next day, when he had completely recovered, that they became composed and satisfied. This, so far as we know, was the first instance of intoxication by *ardent spirits*, among the Indians, on this part of the American continent. It is very remarkable, that among the *six nations*, there is a tradition still very distinctly preserved, of a scene of intoxication which occurred with a company of the natives when the first ship arrived. Alas! that scenes of this nature should have since become so fatally familiar and common among their miserable posterity! How large, and how melancholy a chapter the effects of this poison have since formed in the history of the debasement and destruction of these tribes, I need not remind this audience.

On the twenty-second of the month, confidence on the part of the natives being restored, a number of their chiefs came on board the ship as she lay at anchor. This interview the writer of the journal describes in the following manner: "At three o'clock in the afternoon, they came on board, and brought tobacco and beans, and gave them to our master, and made an oration, and shewed him all the country round about. Then they sent one of their company on land, who presently returned, and brought a great platter full of venison, dressed by themselves; and they caused him to eat with them. Then they made him reverence, and departed."

On the twenty-third of September, *Hudson* began to descend the river. On his way down, his men frequently went on shore and had several very friendly interviews with the natives; who expressed a desire

that they might reside among them; and made them an offer of lands for that purpose. But when the ship came below the highlands, the savages appeared to be of a different character, and were extremely troublesome; especially those who inhabited the western side of the river. They attempted to rob the ship; and repeatedly shot at the crew, with bows and arrows, from several points of land. *Hudson's* men discharged a number of muskets at them, and killed ten or twelve of them. In these conflicts, which were frequently renewed during the first and second days of October, none of the ship's crew appear to have been injured. The land on the eastern side of the river, near its mouth, was called by the natives "*Manna-hata.*"

On the fourth day of October, (just one month from the day on which he first landed within *Sandy-Hook,*) *Hudson* came out of the river which bears his name; and, without anchoring in the bay, immediately stood out to sea. By twelve o'clock, at noon of that day, he was entirely clear of land. He steered directly for *Europe;* and on the seventh of November following, he "arrived," as the writer of the journal expresses it, "in the range of *Dartmouth,* in *Devonshire.*" Here the journal ends.

Whether *Hudson* immediately landed in *England,* or, from the coast of *Devonshire,* directed his course to *Holland;* whether he sold the country which he had discovered, or at least his right to it, to the Dutch government, or to the *East-India* Company, as some have asserted; or whether the company considered its discovery by a man in their service as vesting in them a sufficient title; are questions which it is impossible now to answer, as the journal gives no information concerning the transactions between him and his Dutch employers. Dr. *Forster* asserts, that he offered to undertake another voyage in their service, but that they declined it; upon which he returned

to *England*, and again entered into the service of the company which had before employed him.

It is natural to feel some curiosity respecting the subsequent life and fortunes of the discoverer of *New-York*. Like his predecessor *Verrazzano*, he came to a miserable end. But while *Verrazzano* is said to have perished by the hands of savages, *Hudson* fell a sacrifice to the more than savage cruelty of his own countrymen and companions. The next year after his departure from our harbour, he undertook a fourth voyage, still in quest of a passage to *India* by the north-west. This voyage was, throughout, an unfortunate one. He left *England* in April, 1610, and reached the American coast early in the summer. He soon discovered the great northern Bay which bears his name. There, after an unwise delay, he was compelled to pass a distressing and dangerous winter. In the spring, in addition to all his other misfortunes, he found a spirit of dissatisfaction and mutiny growing among his crew, and, at length, manifesting itself in open violence. This proceeded so far, that on the twenty-second of June, 1611, a majority of the crew rose, took the command of the ship, put *Hudson*, his son, and seven others, most of whom were sick or lame, into a boat, turned them adrift in the ocean, and abandoned them to their fate. They never were heard of more.

Hudson did not give his own name to the river which he discovered. The *Iroquois* Indians called it *Cahohàtatèa*. The *Mahiccans*, *Mahakanèghtuc*, and sometimes *Shatemuck*.* *Hudson* styled it, emphatically, the "*Great River*," or the "*Great River of the Mountains*,"† no doubt from the extraordinary circumstance of such a body of water flowing through the mountains without a cataract. The name of its

* See Appendix, Note B.

† This name is said by some to have been of *Spanish* origin.

Discoverer, however, was early attached to it. I find it familiarly called *Hudson's** *River* in some of the public documents of the Dutch colonial government; but more frequently the *North River*, to distinguish it from the *Delaware*, which was discovered by the same navigator, and which, being within the territory claimed by the Dutch, was called by them the *South River*.

The Dutch immediately began to avail themselves of the advantage which the discovery of *Hudson* presented to their view. In the year 1610, it appears that at least one ship was sent hither by the *East-India* Company, for the purpose of trading in furs, which, it is well known, continued, for a number of years, to be the principal object of commercial attraction to this part of the new world. In 1614, a fort and trading house were erected near the spot on which *Albany* now stands, and called *Fort Orange*;† and, about the same time, another fort and trading house were established on the southwest point of *Manhattan* island, and called *New-Amsterdam*. The whole colony received the name of *New-Netherlands*.

* There is reason to believe, that this name, though soon adopted by the Dutch, was first applied by the English; probably as a part of their system for assuming the discovery and the property of the country to themselves.

† Some of the early Dutch writers inform us, that the *Manhattan* Indians were, at first, so full of suspicion, and so decidedly hostile to the Dutch traders who came hither, that the latter were unable to purchase any land on *Manhattan* island, and were discouraged from attempting a settlement. For this reason, it is said, the first *fort and trading house* were erected on a small island in the river, about half a mile below where the city of *Albany* now stands. This little settlement appears to have been made in 1614. Towards the latter part of the same year, or in the course of the next, it seems that ground was obtained, and a small trading house and fort erected on *Manhattan* island.

To dwell longer, at present, on the circumstances attending the early settlement of this colony, would be an unseasonable trespass on your time and patience, especially as I trust this task will be more successfully performed, hereafter, by my successors in the anniversary task which we have this day commenced. To trace the gradual advances of the colony, from small beginnings, to wealth, power, and universal improvement—To mark the circumstances which attended its commencement and progress, and thence to deduce the causes of any peculiar features which may appear in our national character—To exhibit, in contrast, a territory, two hundred years ago occupied by a few wandering, uncultivated tribes, with the same territory, now filled with a civilized population of more than EIGHT HUNDRED THOUSAND SOULS—To contemplate a RIVER, whose waters, before the ascent of *Hudson*, had never borne on their majestic surface any other vessels than the canoes of savages, now annually wafting many thousand rich cargoes, and pouring into our Capital the wealth of kingdoms—To mark the growth of our CITY, from a few miserable trading huts, which, for a number of years after the discovery, formed but a single street, of small extent, until it has become the *fourth*, if not the *third*, trading town in the world—In a word, to describe the progress of a feeble colony, contending with unsubdued forests, with ferocious beasts, with savage men, and with all the hardships of a dreary wilderness, until they rose to a great, powerful, and independent State, enriched with an immense property, adorned with the elegant arts, and, above all, blessed with the inestimable privileges of the Religion of Jesus Christ:—These are the splendid subjects which lie before our future annual orators; and in the discussion of which we may anticipate equal instruction and delight.

I have only to add, Gentlemen, my fervent wishes for the prosperity and success of our Society. That the objects of our association are both laudable and

important, none who are acquainted with them can doubt. Those, especially, who have any knowledge of the difficulty attending the collection of historical documents by unassisted individuals, instead of undervaluing our plan, will rather be disposed to regret that a similar institution had not been formed a century ago. That our fellow-citizens, when our design shall become better known, will do us the justice to notice, encourage, and aid our exertions, I cherish the most entire confidence. And that we shall endeavour to deserve and attract their fostering regard, by exhibiting, from time to time, the fruits of our labours, I cannot permit myself for a moment to question. May every successive return of our Anniversary find us more active and useful; our CITY more flourishing; and our STATE more enlightened, prosperous and happy!

APPENDIX.

The following communications from Dr. Mitchill, to the writer of the preceding discourse are too instructive and interesting to be withheld from its readers:

(Note A.)

Albany, March 4, 1810.

Reverend and learned sir,

Concerning the frequency of salmon in the river Cahohàtatèa or Mahaganeghtuc, when first visited by the navigator Hudson, I have my doubts as to its correctness. That fish has, indeed, been taken in this river, and even in the vicinity of Albany. But this is a rare occurrence; and the individuals of this kind that have been caught are solitary, and not the gregarious salmons swimming in shoals. I have conversed with several persons here, who have seen a few of these lonesome and straggling fishes, from time to time, as they have been brought to market.

I cannot learn that there is any record or tradition, of their having ever frequented our river, after the manner of the Connecticut, the Kennebeck, and the other streams on this continent. Salmon love clear and limpid water, as do all the species of the trout family, to which they belong; and I should question much whether the ooze and mud of the Cahohàtatèa was so agreeable to them, as the sandy bottoms of the more precipitous and rapid rivers. Besides, you well know, that our river is properly but an estuary as far as the outlet of the Mohock; and the strata of schistic rocks which cross it above the junction of that river, are generally more shallow, than, perhaps, the salmon would like. And, further, the Dutch word 'salm' or 'salmpie,' commonly in use to sig-

nify *salmon*, means also, in ordinary and loose conversation and composition, *trout*.

There are, still, other considerations unfavourable to the abundance of salmon in our river, as you quote from Hudson's journal. They are those which relate to the HERRING, the SHAD, and the STURGEON, the annual visitants of this stream, at Albany and higher. Whatever may be the opinion of speculative men, as to the governing principle of these creatures, whether it be instinct or reason, the fact nevertheless is, that they select very proper places to deposit their spawn, and perpetuate their race. In our river, these three species of fish, had each an appropriate place for the great work of multiplication.

The grand rendezvous of the *herrings*, was the Saratoga lake; into which they entered by its outlet, yet called fish-creek. The obstruction of this passage by dams and artificial impediments, has turned the herrings from their favourite haunt. The inhabitants of the neighbouring region have, thereby, been deprived of their yearly treat of herrings. But, more than this, the herrings thus dispossessed and discouraged, have become more rare in the river, and are deserting it in proportion to the want of accommodation it affords them. It is reported, that the course of the herrings was more especially on the west side of the river.

The *shad* travelled along the eastern shore. Their chief place of resort was the basin at the foot of Fort Edward falls.

" No particular path in the river was selected by the *sturgeons*. They seem to have swam at large, as they do at present. But they assembled for the propagation of their kind at the bottom of the Cahoes, or great falls of the Mohock. The roes or eggs of the sturgeon, are exceedingly numerous, amounting to a large mass of spawn. You recollect that the Russian cavear is made of them. Other fishes are fond of feeding on them; they eat it with remarka-

ble voracity. It is one of the most alluring baits that anglers can use. The abundance of this exquisite food at the breeding season, is supposed to be a principal inducement for the *basse* or *rockfish*, to follow the sturgeons to their place of deposit. The disturbance the sturgeons have experienced in the progress of settlement, has diminished their numbers exceedingly; and the basse has become proportionally rare.

Now, with all this information relative to the several sorts of fish, that have frequented the Hudson, since the possession of its banks by European emigrants, there are no regular notices of *salmon*. Neither a swimming-course, nor a breeding-place has been detected. It is, therefore, a fair presumption, that these fishes never found within its waters sufficient inducement to visit them in great numbers, or at regular times, and that those which have been taken are merely strays and wanderers. I beg you to accept my friendly salutations.

SAML. L. MITCHILL.

Rev. Dr. MILLER.

(Note B.)

Albany, March 3, 1810.

My dear Friend,

The names of the rivers Mohock and Hudson, as they are extant among the Iroquois, have engaged my attention, since the receipt of your late letter, prompting me to make inquiry concerning them. My opportunities have been very favourable. Mr. John Bleecker, the ancient indian interpreter, now in the seventy-ninth year of his age, was well enough to receive a visit from me this morning, and in possession of his full recollection as to what I asked of him. On seeing me, he instantly, and without hesitation, pronounced my name, with a remembrance that he had been acquainted with me at Fort Schuyler, in 1788, when the five nations sold their lands to

the state of New-York. I have also seen colonel Louis, the distinguished Indian warrior, who is now in Albany, and have sought information from him. Jacob Dochstetter, the present Oneida interpreter, likewise gave me all the opportunity I wished of conversing with him, while he was attending with his countrymen, a treaty with the commissioners appointed on the part of the state.

From these several persons I have obtained the following words, which I immediately committed to writing, and corrected as well as I could, by many repetitions from the mouths of the speakers. Though, I ought to observe, that there are a few sounds which the letters of our alphabet are incapable of expressing.

Canneogahakalononitàde—the Mohock river.

Skenectadèa—the city of Albany.

Ohnowalagàntle—the town of Schenectady.

Cahohàtatèa—the North or Hudson River.

Skenectadèa, Cahohàtatèa—the North River, spoken of in relation to Albany or Albany River.

Tioghsàhronde—the place or places at which streams empty themselves.

Tioghsàhronde, Cahohàtatèa—the North River spoken of in relation to the Mohock, the water-vliet-kill, the norman's kill, and the other streams which discharge into it.

The name for our North River, in the tongue of the Iroquois, strikes my ear very agreeably; CAHOHATATEA.

You may contrast this with the Mohegan name for the same river, given me this day by John Taylor, Esq. a gentleman long conversant in the Indian affairs of New-York; MAHAKANEGHTUC.

What their etymologies are, I have not been able to ascertain, except as to Skenectadèa, Albany; which signifies the place the natives of the Iroquois arrived at, by travelling through the pine-trees.

Truly and affectionately yours,

SAMl. L. MITCHILL.

Rev. SAMUEL MILLER, D. D. &c.

The information, that SHATEMUCK was one of the *Mahiccan* names of the river HUDSON, was received from the Hon. EGBERT BENSON, Esq.

TO THE MOST CHRISTIAN KING OF FRANCE, FRANCIS THE FIRST.

The relation of JOHN DE VERRAZZANO, *a Florentine, of the Land by him discouered in the name of his Maiestie. Written in* Diepe, *the eight of July*, 1524.

(Hakluyt's Voyages, vol. 2. pp. 295—300. Lond. fol. 1600.)

I wrote not to your Maiesty, most Christian King, since the time we suffered the Tempest in the North partes, of the successe of the foure shippes, which your Maiestie sent forth to discouer new lands by the Ocean, thinking your Maiestie had bene already duely enformed thereof. Now by these presents I will give your Maiestie to understand, how by the violence of the Windes we were forced with the two shippes, the Norman and the Dolphin, (in such euill case as they were,) to land in Britaine. Where after wee had repayred them in all poynts as was needefull, and armed them very well, we took our course along by the coast of Spaine, which your Maiestie shall understand by the profite that we receiued thereby. Afterwards with the Dolphin alone we determined to make discouerie of new Countries, to prosecute the Nauigation we had already begun, which I purpose at this present to recount unto your Maiestie, to make manifest the whole proceeding of the matter.

The 17 of January, the yeere 1524, by the Grace of God, we departed from the dishabited rocke by the isle of Madeira, apperteining to the King of Portugal, with 50 men, with victuals, wea-

pons, and other ship-munition very well prouided and furnished for eight months ; and sailing Westward with a faire Easterly winde, in 25 dayes we ran 500 leagues, and the 20 of Februarie, we were ouertaken with as sharpe and terrible a tempest as euer any saylers suffered, whereof with the diuine helpe and mercifull assistance of Almighty God, and the goodnesse of our shippe, accompanied with the good happe of her fortunate name, we were deliuered, and with a prosperous winde followed our course West and by North. And in other 25 dayes we made aboue 400 leagues more, where we discouered a new land, neuer before seene of any man either ancient or moderne, and at the first sight it seemed somewhat low, but being within a quarter of a league of it, we perceiued by the great fires that we saw by the sea-coast, that it was inhabited ; and saw that the lande stretched to the southwards. In seeking some conuenient harborough, wherein to anchor and to have knowledge of the place, we sayled fiftie leagues in vaine, and seeing the lande to runne still to the southwards, we resolved to returne backe againe towards the north, where wee found our selves troubled with the like difficultie. At length, being in despaire to find any porte, wee cast anchor upon the coast and sent our boate to shore, where we saw great store of people which came to the seaside ; and seeing us approch, they fled away, and sometimes would stand still and looke backe, beholding us with great admiration ; but, afterwards, being animated and assured with signes that we made them, some of them came hard to the seaside, seeming to reioyce very much at the sight of us, and marvelling greatly at our apparel, shape and whitenesse, shewed us by sundry signes, where we might most commodiously come aland with our boate, offering us also of their victuals to eat. Now I will briefly declare to your maiestie their life and maners, as farre as we could have notice thereof: These people goe altogether naked, except

only that they couer their priuie parts with certain skins of beastes, like unto marterns, which they fasten unto a narrow girdle made of grasse very artificially wrought, hanged about with tayles of divers other beastes, which, round about their bodies, hang dangling down to their knees. Some of them weare garlands of byrdes feathers. The people are of colour russet, and not much unlike the Saracens; their hayre blacke, thicke, and not very long, which they tye together in a knot behind, and weare it like a little taile. They are well featured in their limbes of meane stature, and commonly somewhat bigger than wee, broad breasted, strong armed, their legs and other parts of their bodies well fashioned, and they are disfigured in nothing, sauing that they haue somewhat broade visages, and yet not all of them, for we saw many of them wel favoured, hauing blacke and great eyes, with a cheerefull and steady looke, not strong of body, yet sharpe witted, nimble and exceeding great runners, as farre as we could learne by experience, and in those two last qualities they are like to the people of the east partes of the world, and especially to them of the uttermost parts of China. We could not learne of this people their manner of liuing, nor their particular customs, by reason of the short abode we made on the shore, our company being but small, and our ship ryding farre off in the sea. And not farre from these we found another people, whose liuing wee think to be like unto theirs (as hereafter I will declare unto your Maiestie) shewing at this present the situation and nature of the foresayd land. The shoare is all couered with small sand, and so ascendeth upwards for the space of 15 foote, rising in form of little hils, about 50 paces broad. And sayling forwards, we found certaine small rivers and armes of the sea, that fall downe by certaine creeks, washing the shoare on both sides as the coast lyeth. And beyond this we saw the open country rising in height above the sandy shoare, with

many faire fields and plaines, full of mightie great woods, some very thicke, and some thinne, replenished with diuers sorts of trees as pleasant and delectable to behold, as is possible to imagine. And your Maiestie may not thinke that these are like the woods of *Hercynia* or the wilde deserts of *Tartary*, and the northerne coasts, full of fruitlesse trees; but they are full of palme trees, bay trees, and high cypresse trees, and many other sorts of trees unknowen in *Europe*, which yeeld most sweete sauours farre from the shoare, the propertie whereof we could not learn for the cause aforesaid, and not for any difficulty to passe through the woods, seeing they are not so thicke but that a man may passe through them, neither doe we thinke that they partaking of the east world round about them, are altogether voyd of drugs or spicery, and other riches of golde, seeing the colour of the land doth so much argue it. And the land is full of many beastes, as stags, deere and hares, and likewise of lakes and pooles of fresh water, with great plentie of fowles, convenient for all kinde of pleasant game. This land is in latitude 34 degrees, with good and wholesome ayre, temperate, betweene hot and colde, no vehement windes doe blowe in those regions, and those that doe commonly reigne in those coasts, are the north west and west windes in the summer season, (in the beginning whereof we were there) the skie cleere and faire with very little raine; and if at any time the ayre be cloudie and mistie with the southerne winde, immediately it is dissolued and wareth cleere and fayre againe. The sea is calme, not boysterous, the waues gentle, and although all the shoare be somewhat sholde and without harborough, yet is it not dangerous to the saylers, being free from rocks and deepe, so that within 4 or 5 foote of the shoare there is 20 foote deepe of water without ebbe or flood, the depth still increasing in such uniform proportion. There is very good ryding at sea, for any ship being shaken in a tempest, can neuer perish there by breaking of her

cables, which we have proved by experience. For in the beginning of March (as it is usual in all regions) being in the sea oppressed with northerne windes, and ryding there, we found our anchor broken before the earth fayled or moved at all. We departed from this place, still running along the coast, which we found to trend toward the east, and we saw every where very great fires, by reason of the multitude of the inhabitants. While we rode on that coast, partly because it had no harborough, and for that we wanted water, we sent our boat ashoare with 25 men; where, by reason of great and continual waues that beat against the shoare, being an open coast, without succour, none of our men could possibly goe ashoare without loosing our boate. We saw there many people which came unto the shoare, making diuers signes of friendship, and shewing that they were content we should come aland, and by trial we found them to be very corteous and gentle, as your Maiestie shall understand by the successe. To the intent we might send them of our things, which the Indians commonly desire and esteeme, as sheetes of paper, glasses, bels, and such like trifles, we sent a young man one of our mariners ashoare, who swimming towards them, and being within 3 or 4 yards of the shoare, not trusting them, cast the things upon the shoare; but seeking afterwards to returne, he was with such violence of the waues beaten upon the shoare, that he was so bruised that he lay there almost dead; which the Indians perceiuing, ranne to catch him, and drawing him out, they caried him a litle way off from the sea. The young man perceiuing they caried him, being at the first dismaied, began then greatly to feare, and cried out piteously; likewise did the Indians which did accompany him, going about to cheere him and to giue him courage, and then setting him on the ground at the foote of a litle hil against the sunne, they began to behold him with great admiration, marueiling at the whitenesse of his flesh; and put

ting off his clothes, they made him warme at a great fire, not without our great feare which remained in the boate, that they would have rosted him at that fire, and have eaten him. The young man hauing recouered his strength, and hauing stayed a while with them, shewed them by signes that he was desirous to returne to the ship, and they with great loue clapping him fast about, with many embracings, accompanying him unto the sea, and to put him in more assurance, leauing him alone, went unto a high ground, and stood there, beholding him untill he was entred into the boate. This young man obserued, as we did also, that these are of colour inclining to blacke as the other were, with their flesh very shining, of meane statture, handsome visage, and delicate limnes, and of very little strength, but of prompt wit, farther we obserued not.

Departing from hence, following the shore which trended somewhat toward the north, in 50 leagues space we came to another land which shewed much more faire and ful of woods, being very great, where we rode at anker; and that we might have some knowledge thereof, we sent 20 men aland, which entred into the country about 2 leagues, and they found that the people were fled to the woods for feare. They saw only one old woman, with a young maid of 18 or 20 yeeres old, which seeing our company, hid themselves in the grasse for feare; the olde woman caried two infants on her shoulders, and behind her necke a child of 8 yeeres olde. The young woman was laden likewise with as many, but when our men came unto them, the women cried out, the olde woman made signes that the men were fledde unto the woods. As soone as they saw us to quiet them and to win their favour, our men gave them such victuals as they had with them, to eate, which the olde woman received thankfully, but the young woman disdained them all, and threw them disdainfully on the ground. They tooke a child from the olde wo-

man to bring into France, and going about to take the young woman which was very beautiful and of tall stature, they could not possibly for the great outcries that she made bring her to the sea; and especially having great woods to passe thorow, and being farre from the ship, we purposed to leaue her behind, beareing away the child onely; we found those folkes to be more white than those that we found before, being clad with certaine leaues that hang on boughs of trees, which they sew together with threds of wilde hempe; their heads were trussed up after the same maner as the former were, their ordinary foode is of pulse, whereof they haue great store, differing in colour and taste from ours; of good and pleasant taste. Moreover they live by fishing and fowling, which they take with ginnies, and bowes made of hard wood, the arrowes of canes, being headed with the bones of fish and other beastes. The beastes in these partes are much wilder then in our Europe, by reason they are continually chased and hunted. We saw many of their boates, made of one tree 20 foote long and 4 foote broad, which are not made with yron or stone, or any other kind of metall (because that in all this country for the space of 200 leagues which we ranne, we neuer saw one stone of any sort:) they help themselues with fire, burning so much of the tree as is sufficient for the hollownesse of the boate. The like they doe in making the sterne and the foreparte, until it be fit to saile upon the sea. The land is in situation, goodness and fairnesse like the other; it hath woods like the other, thinne and full of diuers sorts of trees, but not so sweete, because the country is more northerly and colde.

We saw in this country many vines growing naturally, which growing up, took holde of the trees as they doe in Lombardie, which, if by husbandmen they were dressed in good order, without all doubt they would yeeld excellent wines; for hauing oftentimes seene the fruit thereof dryed, which was sweete

and pleasant, and not differing from ours, we thinke that they doe esteeme the same, because that in euery place where they growe, they take away the under branches growing round about, that the fruit thereof may ripen the better. We found also roses, violets, lilies, and many sortes of herbes, and sweete and odoriferous flowers different from ours. We knewe not their dwellings, because they were farre up in the land, and we iudge by many signes that we saw, that they are of wood and of trees framed together. We doe belieue also by many conjectures and signes, that many of them sleeping in the fields, have no other couert then the open sky. Farther knowledge haue we not of them; we think that all the rest whose countreys we passed, liue all after one maner. Hauing made our aboade three days in this country, and ryding on the coast for want of harboroughs, we concluded to depart from thence trending along the shore betweene the north and the east, sayeling onely in the day time, and ryding at anker by night. In the space of 100 leagues sayling we found a very pleasant place situated among certaine little steape hils; from amidst the which hils there ranne downe into the sea an exceeding great streme of water, which within the mouth was very deepe, and from the sea to the mouth of the same with the tide which we found to rise 8 foote, any great ship laden may passe up. But because we rode at anker in a place, well fenced from the wind, we would not venture ourselues without knowledge of the place, and we passed up with our boate onely into the sayd river, and saw the countrey very well peopled. The people are almost like unto the others, and are clade with the feathers of fowles of diuers colours; they came towards us very cheerefully, making great showts of admiration, shewing us where we might come to land most safely with our boate. We entered up the said riuer into the land about halfe a league, where it made a most pleasant lake aboute 3

leagues in compasse, on the which they rowed from the one side to the other, to the number of 30 of their small boats, wherein were many people which passed from one shore to the other to come and see us. And, behold, upon the sudden (as it is woont to fall out in sayling) a contrary flaw of winde comming from the sea, we were inforced to returne to our ship, leauing this land to our great discontentment, for the great commodity and pleasantnesse thereof, which we suppose is not without some riches, all the hils shewing mineral matters in them. We weyed anker and sayled toward the east, for so the coast trended, and so alwayes for 50 leagues being in the sight thereof, we discouered an island in forme of a triangle, distant from the main land 10 leagues about the bignesse of the island of the Rhodes; it was full of hils covered with trees, well peopled, for we saw fires all along the coast; we gave it the name of your Maiesties mother,* not staying there by reason of the weather being contrary.

And we came to another land being 15 leagues distant from the island, where we found a passing good hauen, wherein being entred, we found about 20 small boats of the people, which with diuers cries and wondrings came about our ship, comming no neerer than 50 paces towards us; they stayed and beheld the artificialnesse of our ship, our shape and apparel, they then all made a loud showt together, declaring that they reioyced. When we had something animated them, using their gestures they came so neere us, that we cast them certaine bels and glasses, and many toyes, which when they had received, they looked on them with laughing, and came without feare a board our ship. There were amongst these people 2 kings of so goodly stature and shape as is possible to declare, the eldest was about 40 yeeres of age, the seconde was a yong man

* Claudian Island. Claudia was the mother of King Francis

of 20 yeeres olde, their apparell was on this manner, the elder had upon his naked body a harts skin wrought artificially with diuers branches like damaske, his head was bayre with the hayre tyed up behind with diuers knots; about his necke he had a a large chaine, garnished with diuers stones of sundry colours, the young man was almost apparelled after the same maner. This is the goodliest people, and of the fairest conditions that we have found in this our voyage. They exceed us in bigness, they are of the colour of brasse, some of them incline more to whitenesse, others are of yellow colour, of comely visage, with long and black hair, which they are very careful to trim and decke up; they are black and quick eyed, and of sweete and pleasant countenance, imitating much the old fashion. I write not to your Maiestie of the other parts of their body, hauing al such proportion as apperteeneth to any handsome man. The women are of the like conformitie and beautie, very handsome and wel favoured, of pleasant countenance, and comely to behold; they are as wel manered and continent as any women, and of good education, they are all naked saue their priuy partes, which they couer with a deeres skin branched or embrodered as the men use, there are also of them which weare on their armes uery rich skins of *Luzernes*, they adorne their heads with diuers ornaments made of their owne hair, which hang downe before on both sides their brestes, others use other kind of dressing themselues like unto the women of *Egypt* and *Syria*, these are of the elder sort; and when they are maried, they wear diuers toyes, according to the usage of the people of the east, as well men as women.

Among whom we saw many peices of wrought copper, which they esteeme more than goolde, which for the colour they make no account, for that among all other it is counted the basest; they make most account of *azure* and *red*. The things that they esteeme most of all those which we gaue them, were

bels, christal of azure colour, and other toyes to hang at their eares or about their necke. They did not desire clothe of silke or of golde, much lesse of any other sort, neither cared they for thyngs made of steele and yron, which we often shewed them in our armour which they made no wonder at; and in beholding them they onely asked the arte of making them; the like they did at our glasses, which, when they beheld, they suddenly laught, and gave them us againe. They are very liberal, for they give that which they haue; we became great friends with these, and one day we entred into the haven with our ship, whereas before we rode a league off at sea, by reason of the contrary weather. They came in great companies of their small boats unto the ship with their faces all bepainted with diuers colours, shewing us that it was a signe of ioy, bringing us of their victuals, they made signes unto us where we might safest ride in the hauen for the safeguard of our ship keeping still our company, and after we were come to an anker, we bestowed 15 dayes in prouiding ourselues many necessary things, whither euery day the people repaired to see our ship, bringing their wiues with them, whereof they were very ielous; and they themselves entring a board the ship and staying there a good space caused their wiues to stay in their boats, and for all the entreatie we could make, offring to giue them diuers things, we could neuer obtaine that they would suffer them to come aborde our ship. And oftentimes one of the two kings comming with his queene, and many gentlemen for their pleasure to see us, they all stayed on the shore 200 paces from us, sending us a small boat to giue us intelligence of their comming, saying they would come and see our ship; this they did in token of safety, and as soone as they had answere from us, they came immediately, and hauing staied a while to behold it, they wondred at hearing the cries and noyses of the Mariners. The Queene and her maids staied in a very light boat, at

an Iland a quarter of a league off, while the King abode a long space in our ship uttering diuers conceits with gestures, viewing with great admiration all the furniture of the Shippe, demanding the property of euery thing particularly. He tooke likewise great pleasure in beholding our apparell, and in tasting our meats. and so courteously taking his leave departed. And sometimes our men staying 2 or 3 daies on a little Iland neere the Shippe for diuers necessaries, (as it is the use of seamen,) he returned with 7 or 8 of his gentlemen to see what we did, and asked of us oftentimes if we meant to make any long abode there, offering us of their prouision; then the King drawing his bow and running up and down with his gentlemen, made much sport to gratifie our men: we were oftentimes within the land five or six leagues, which we found as pleasant as is possible to declare, very apt for any kind of husbandry, of Corne, Wine and Oyle; for that there are plaines twentie-five or thirtie leagues broad, open and without any impediment, of trees of such fruitfulnesse, that any seed being sowen therein, wil bring forth most excellent fruit. We entered afterwards into the woods, which we found so great and thicke, that any army were it neuer so great might have hid it selfe therein, the trees whereof are okes, cipresse trees, and other sortes unknowen in Europe. We found *Pome* appil, damson trees, and nut trees, and many other sortes of fruit differing from ours; there are beasts in great abundance, as harts, deere, luzernes, and other kinds which they take with their nets and bowes which are their chief weapons, the arrowes which they use are made of great cunning, and instead of yron, they head them with flint, with jasper stone and hard marble, and other sharp stones which they use instead of yron to cut trees, and to make their boates of one whole piece of wood making it hollow with great and wonderful art, wherein 10 or 12 men may sit commodiously, their oares are

short and broad at the end, and they use them in the sea without any danger, and by maine force of armes, with as great speediness as they lift themselves. We saw their Houses made in circular or round forme 10 or 12 paces in compasse, made with halfe circles of Timber, separate one from another without any order of building, couered with mattes of Straw wrought cunningly together, which saue them from the winde and raine; and if they had the order of building and perfect skill of workmanship as we have, there were no doubt but that they would also make eftsoons great and stately buildings. For all the sea coastes are ful of clear and glistering stones and alabaster, and therefore it is ful of good hauens and harboroughs for Shippes. They moove the foresaid Houses from one place to another, according to the commodity of the place and season wherein they wil make their abode and only taking off the mattes; they haue other Houses builded incontinent. The Father and the whole Family dwell together in one house in great number, in some of them we saw 25 or 30 persons. They feede as the other doe aforesaid, of pulse which grow in that Country with better order of husbandry than in the others. They observe in their sowing the course of the Moone and the rising of certaine Starres, and divers other customs spoken of by antiquity. Moreover they liue by hunting and fishing. They live long and are seldom sicke, and if they chance to fall sicke at any time, they heal themselves with fire without any phisician, and they say that they die for very age. They are very pitifull and charitable towards their neighbours, they make great lamentations in their adversitie, and in their miserie, the kinred reckon up all their felicitie. At their departure out of life, they use mourning mixt with singing, which continueth for a long space. This is as much as we could learne of them. This Land is situate in the Paralele of Rome in 41 degrees and 2 terces, but somewhat more

cold by accidentall causes and not of nature, (as I will declare unto your highnesse elsewhere,) describing at this present the situation of the foresaid country, which lieth east and west. I say that the mouth of the haven lieth open to the south halfe a league broad, and being entred within it betweene the east and the north it stretcheth twelve leagues, where it wareth broader and broader, and maketh a gulfe about 20 leagues in compasse, wherein are five small islands very fruitful and pleasant, full of hie and broad trees among the which islandes any great nauie may ride safe without any feare of tempest or other danger. Afterwards turning towards the south in the entring into the hauen, on both sides there are most pleasant hils, with many riuers of most cleare water falling into the sea. In the middest of this entrance there is a rocke of free stone, growing by nature, apt to build any castle or fortresse there for the keeping of the haven. The fift of May being furnished with all things necessarie, we departed from the said coaste, keeping along in the sight thereof, and wee sailed 150 leagues, finding it alwayes after one maner, but the land somewhat higher with certaine mountaines, all which beare a shew of minerall matter, wee sought not to land there in any place, because the weather serued our turne for sailing; but wee suppose that it was like the former, the coaste ranne eastward for the space of fiftie leagues. And trending afterwards to the north, wee found another land high full of thicke woods, the trees whereof were firres, cipresses, and such like as are wont to grow in cold countreys. The people differ much from the other, and looke howe much the former seemed to be courteous and gentle, so much were these full of rudenesse and ill maners, and so barbarous that by no signes that euer we could make, we could have any kind of traffic with them. They clothe themselues with beares skinnes and luzernes, and seales and other beastes skinnes. Their foode, as farre as we could

perceiue, repairing often unto their dwellings, we suppose to be by hunting and fishing, and of certaine fruits, which are a kind of roots which the earth yeeldeth of her own accord. They haue no graine, neither saw we any kind of signe of tillage, neither is the land for the barrennesse thereof, apt to beare fruit or seed. If at any time we desired by exchange to haue any of their commodities, they used to come to the sea shore upon certaine craggy rocks, and we standing in our boats, they let downe with a rope what it pleased them to give us, crying continually that we should not approch to the land, demanding immediately the exchange, taking nothing but kniues, fishhooks, and tooles to cut withall, neyther did they make any account of our courtesie. And when we had nothing left to exchange with them, when we departed from them, the people shewed all signes of discourtesie and disdaine, as were possible for any creature to inuent. We were in despight of them 2 or 3 leagues within the land, being in number twenty-five armed men of us: And when we went on shore they shot at us with their bowes, making great outcries, and afterwards fled into the woods. We found not in this land any thing notable or of importance, sauing very great wood and certaine hils, they may haue some mineral matter in them, because wee saw many of them haue beadstones of copper hanging at their eares. We departed from thence, keeping our course north east along the coaste, which we found more pleasant champion and without woods, with high mountains within the land; continuing directly along the coast for the space of fiftie leagues, we discouered 32 islands, lying al neere the land, being small and pleasant to the view, high, and having many turnings and windings between them, making many fair harboroughs and chanels as they doe in the gulf of *Venice* in *Sclauonia*, and *Dalmatia*, we had no knowledge or acquaintance with the people; we suppose they are of the same maners and nature as the others

are. Sayling north east, for the space of 150 leagues, we approched the land that was in times past discouered by the Britons, which is in fiftie degrees. Hauing now spent all our prouision and victuals, and hauing discouered about 700 leagues and more of new countreys, and being furnished with water and wood, we concluded to returne into France. Touching the religion of this people which we have found, for want of their language we could not understand, neither by signes nor gestures, that they had any religion or laws at all, or that they did acknowledge any first cause or mouer, neither that they worship the heauen or starres, the sunne or moone, or other planets, and much lesse whether they be idolaters, neither could we learne whether that they used any kind of sacrifices or other adorations, neither in their villages haue they any temples or houses of prayer; we suppose that they haue no religion at all, and that they liue at their owne libertie. And, that all this proceedeth of ignorance, for that they are very easie to be persuaded; and all that they see us Christians doe in our diuine service, they did the same with the like imitation as they saw us to doe it.

Diuers Voyages and Notherne Discoueries of that worthy irrecouerable Discouerer Master HENRY HVDSON. *His Discouerie toward the North Pole, set forth at the charge of certaine Worshipfull Merchants of* London, *in May*, 1607. *Written partly by* IOHN PLAYSE *one of the Company, and partly by* H. HVDSON.

(Purchas his Pilgrimes, vol. 3. pp. 567—610. Lond. fol. ed. 1625.)

ANNO 1607. Aprill the nineteenth, at Saint *Ethelburge* in Bishops Gate street, did communicate with the rest of the Parishioners these persons Seamen, purposing to goe to sea foure dayes after, for to discouer a Passage by the North Pole to *Iapan* and *China*. First, *Henry Hudson*, Master. Secondly, *William Colines*, his Mate. Thirdly, *Iames Young*. Fourthly, *Iohn Colman*. Fifthly, *Iohn Cooke*. Sixthly, *Iames Beubery*. Seuenthly, *Iames Skrutton*. Eightly, *Iohn Pleyce*. Ninthly, *Thomas Baxter*. Tenthly, *Richard Day*. Eleuenthly, *Iames Knight*. Twelfthly, *Iohn Hudson*, a Boy.

The first of May, 1607, we weyed Anchor at *Grauesend*, and on Tuesday the sixe and twentieth day in the morning, we made the Iles of *Shotland*, and at noone we were in 60 degrees 12 minutes, and sixe leagues to the Eastward of them: the Compasse had no variation. We had sixtie-foure fathomes at our sounding, blacke, ozie, sandie, with some yellow shels. Our ship made more way than we did suppose. On Saturday, the thirtieth of May, by our obseruation we were in 61 degrees 11 minutes. This day I found the Needle to incline 79 degrees vnder the Horizon. For foure dayes space we made very little way by contrary winds.

On Thursday the fourth of Iune, we were by our obseruation still in 61 degrees and 14 minutes, eight and twentie or thirtie leagues from the Norther part of

Shotland: the Land bearing by our Accompt East and by North off vs, I found variation in fiue degrees Westerly.

The seuenth of Iune, wee were in 63 degrees 25 minutes. The eighth, all the fore-noone we had a fresh gale Southerly; we steered away North and by West, and by obseruation we were in 65 degrees 27 minutes.

The eleuenth, wee saw sixe or seuen Whales neere our shippe: wee were in 67 degrees 30 minutes. About fiue of the clocke, the winde came vp at North-east and by East; wee steered away North North-west with a fresh gale all the night at East. The twelfth, the winde was at East North-east, a stiffe gale, wee steered away as afore, and accounted wee had runne by this day noone thirtie leagues. In the after-noone wee steered away North and by West fifteene leagues, all the night prooued a great fogge with much winde.

The thirteenth, betweene one and two in the morning, we saw some Land on head of vs, and some Ice: and it being a thicke fogge, we steered away Northerly, and hauing much winde wee stood away South and by East, sixe or eight leagues. Our sayle and shroudes did freeze. At eight in the morning it cleered vp, the winde being at North-east and by East, with much winde wee were hardly able to maintayne a sayle. This was a very high Land, most part couered with Snow. The neather part was vncouered. At the top it looked reddish, and vnderneath a blackish Clay, with much Ice lying about it. The part which we saw when wee cast about, trended East and West: And the Norther part which we saw, trended North-east and by North, and North-east: and the length which wee saw was nine leagues; wee saw much Fowle. Also wee saw a Whale close by the shoare. We called the Head-land which we saw, *Youngs Cape;* and neere it standeth a very high Mount like a round Castle, which wee called, *The Mount of Gods Mercie.* All the after-noone, and

all the Eeuening it rained. At eight in the Eeuening we cast about, and steered all night North and by West, and sometimes North North-west.

The fourteenth, being neere the Land we had Snow. At foure in the morning, the winde vering Northerly, we cast about and stood South-east and by South. This day wee had much winde and raine, we shorted sayle being neere the land. The fifteenth, in the morning it blowed so much winde at North-east, that wee were not able to maintayne any sayle, we then strooke a hull, and let our ship driue, wayting for a fitter wind; this night was very much raine. The sixteenth, was much winde at North-east. The seuenteenth, we set sayle at noone, we steered away East and by South, and East South-east. The eighteenth, in the afternoone a fine gale South-east, which toward the Eeuening increased, and we steered North-east three Watches, twelue leagues. The nineteenth, we steered away North North-east sixteene leagues. At noone wee had raine with fogge. From twelue to foure we steered North North-east eight leagues, and did account our selues in seuentie degrees neerest hand: purposing to see whether the Land which we made the thirteenth day, were an Iland or part of *Groneland.* But then the fogge increased very thicke with much winde at South, which made vs alter our course, and to shorten our sayle, and we steered away North-east. Being then as we supposed, in the Meridian of the same land, hauing no obseruation since the eleuenth day, and lying a hull from the fifteenth to the seuenteenth day, we perceiued a current setting to the South-west. This day wee saw three Whales neere our ship, and hauing steered away North-east almost one watch, fiue leagues, the Sea was growne euery way: we supposed wee were thwart of the North-east part of that Land which we made the thirteenth day, and the current setting to wind-ward. The reason that mooued vs to thinke so, was, that after we had sayled fiue or sixe leagues in this Sea, the winde neither increasing

nor dulling, we had a pleasant and smooth Sea. All this night was foggie with a good gale of winde, we steered away North-east vntil the next day at noone, and sayled in that course twentie leagues.

The twentieth, all the morning was a thick fogge with the winde at South: we steered North-east till noone. Then we changed our course, and steered away North North-east, hoping for an open Sea in our course to fall with the bodie of *Newland*. This day at two in the afternoone it cleered vp, and wee saw the Sunne, which wee had not seene since the second of this moneth. Hauing steered North North-east, two watches and an halfe, fifteene or sixteene leagues wee saw Land on our Larboord, about foure leagues off vs, trending as wee could ghesse North-east and South-west. We steered away East North-east, the winde at South a good gale, but reasonable cleere: wee saw many Birds with blacke backes, and white bellies, in forme much like a Ducke: we saw also many pieces of Ice driuing at the Sea. We loofed for one and went roomer for another. And this morning about foure, a thick fogge we saw a head of vs.

The one and twentieth, in the morning we steered North-east, and East North-east two watches, fiue or sixe leagues. Then it grew thicke fogge. And we cast about, and steered North-east and East North-east two watches, sixe leagues finding wee were embayed. The winde came at East South-east a little gale: we tacked about and lay South. All this night was a thicke fog with little winde, East we lay with the stemme.

The two and twentieth, in the morning it cleered vp, being calme about two or three of the clocke: after we had a prettie gale, and we steered away East and by North three leagues. Our obseruation was in 72 degrees 38 minutes, and changing our course, we steered North-east, the winde at South-east a prettie gale. This morning when it cleered vp, we saw the Land, trending neere hand East North-east, and

West South-west, esteeming our selues from it twelue leagues. It was a mayne high Land, nothing at all couered with snow: and the North part of that mayne high Land was very high Mountaynes, but we could see no snow on them. We accounted by our obseruation the part of the mayne Land, lay neerest hand in 73 degrees. The many fogges and calmes with contrary windes, and much Ice neere the shoare, held us from farther Discouery of it. It may bee objected against vs as a fault, for haling so Westerly a course. The chiefe cause that moued vs thereunto, was our desire to see that part of *Groneland*, which (for ought that we know) was to any *Christian* vnknowne: and we thought it might as well haue beene open Sea as Land, and by that meanes our passage should haue beene the larger to the Pole: and the hope of hauing a Westerly wind, which would be to vs a landerly wind if we found Land. And considering wee found Land contrarie to that which our Cards make mention of; we accounted our labour so much the more worth. And for ought that we could see, it is like to be a good Land, and worth the seeing.

On the one and twentieth day, in the morning while we steered our course North North-east, we thought we had embayed our selues, finding Land on our Larboord, and Ice vpon it, and many great pieces of Drift Ice: we steered away North-east, with diligent looking out euery cleere for Land, hauing a desire to know whether it would leaue vs to the East, both to know the bredth of the Sea, and also to shape a more Northerly course. And considering we knew no name giuen to this Land, we thought good to name it, *Hold with hope*, lying in 73 degrees of latitude.

The Sunne was on the Meridian on the South part of the Compasse, neerest hand. Heere is to bee noted that when we made *The Mount of Gods Mercie*, and *Youngs Cape*, the Land was couered

with Snow for the most part, and extreame cold, when wee approached neere it: But this Land was very temperate to our feeling. And this likewise is to be noted, that being two dayes without obseruation; notwithstanding, our lying a hull by reason of much contrary wind, yet our obseruation and dead reckoning were within eight leagues together, our shippe beeing before vs eight leagues. This night vntill next morning prooued little Winde.

The three and twentieth, in the morning we had an hard gale on head of vs, with much rayne that fell in very great drops, much like our Thunder showers in *England*; wee tacked about and stood East Notherly with a short sayle, to our feeling it was not so cold as before we had it. It was calme from noone to three of the clocke with fogge. After the winde came vp at East and East South-east, we steered away North-east with the fogge and rayne. About seuen or eight of the clocke, the winde increased with extreame fogge, wee steered away with short sayle East North-east, and sometimes East and by North.—About twelue at mid-night, the wind came vp at South-west, we steered away North, being reasonable cleere weather.

The foure and twentieth, in the morning about two of the clocke, the Masters mate thought he saw Land on the Larboord, trending North North-west Westerly, and the longer we ranne North, the more it fell away to the West, and did thinke it to bee a mayne high Land. This day the wind being Westerly, we steered away North, and by obseruation wee were in 73 degrees nearest hand. At noone we changed our course, and steered away North and by East, and at our last obseruation, and also at this, we found the Meridian all Leeward on the South and by West, Westerly part of the Compasse, when we had sayled two Watches eight leagues.

The fiue and twentieth, the wind scanted and came vp at North North-west, we lay North-east two

Watches 8 leagues. After the wind became variable betweene the North-east and the North, we steered away East and by North, and sometimes East, we had thicke fogge. About noone three Granpasses played about our shippe. This after-noone the wind vered to the East and South-east, we haled away North and by East. This night was close weather, but small fogge, (we vse the word *Night* for distinction of time, but long before this the Sunne was alway aboue the Horizon, but as yet we could neuer see him vpon the Meridian North.) This Night being by our accompt in the Latitude of 75 degrees, we saw small flockes of Birds, with blacke Backes and white Bellies, and long speare Tayles. We supposed that Land was not farre off, but we could not discrie any, with all the diligence which we could vse, being so close weather, that many times we could not see sixe or seuen leagues off.

The sixe and twentieth, in the morning was close weather, we had our wind and held our course as afore. This day, our obseruation was 76 degrees 38 minutes, and we had Birds of the same sort as afore, and diuers other of that colour, hauing red Heads; that we saw when we first made the Mount of *Gods Mercy* in *Greenland*, but not so many. After we steered away North and by East: two VVatches 10 leagues, with purpose to fall with the Souther part of *Newland*, accounting our selues 10 or 12 leagues from the Land. Then wee stood away North-east one VVatch fiue leagues.

The seuen and twentieth, about one or two of the clocke in the morning we made *Newland*, being cleere weather on the Sea; but the Land was couered with fogge, the Ice lying very thicke all along the shoare for 15 or 16 leagues which we saw.— Hauing faire wind wee coasted it in a very pleasing smooth sea, and had no ground at an hundred fathoms, foure leagues from the shoare. This day at noone, wee accounted we were in 78 degrees, and

we stood along the shoare. This day was so foggie, that we were hardly able to see the Land many times, but by our account we were neere *Vogel Hooke*. About eight of the clocke this Eeuening, we purposed to shape our course from thence North-west. Heere is to bee noted, that although we ranne along neere the shoare, we found no great cold, which made vs thinke, that if we had beene on shoare the place is temperate. Holding this North-west course, about ten of the clocke at night, we saw great store of Ice on head off vs, bearing Wester off vs; which we could not goe cleere off with the foresayd course. Then we tact about, and stood away betweene the South and South-east, as much desirous to leaue this Land as we were to see it.

The eight and twentieth, was a hard gale of wind all the fore-noone betweene the South and the South-west. We shaped our course , we did it to bee farther from the Ice and Land. It pleased God that about twelue of the clocke this night it cleered vp, and we found that we were betweene the Land and the Ice; *Vogel Hooke* then bearing nearest hand East off vs. Then we tacked about, and stood in for the shoare, hauing Sea-roome between the Ice and the Land. The nine and twentieth, at foure in the morning the wind at North-east, a pretie gale, we thought best to shorten our way, so we tacked about and stood North North-west, the winde a little increasing. About twelue at noone, we saw Ice a head off vs; we cast about again, and stood away East South-east with very much wind, so that we shortned our sayles for the space of two Watches. Then about eight this Eeuening, we strucke a Hull, and it proued the hardest storme that we had in this Voyage. The thirtieth, in the morning was stormie; about noone it ceased, at seuen in the Eeuening it proued almost calme.

The first of Iuly, all the fore-noone the winde was at South-east, we stood North-east for the shoare,

hoping to finde an open Sea betweene the shoare and the Ice. About noone wee were embayed with Ice, lying betweene the Land and vs. By our obseruation we were in 78 degrees 42 minutes, whereby we accounted we were thwart of *The great Indraught.* And to free our selues of the Ice, we steered betweene the South-east and South, and to the Westward, as we could haue sea; And about sixe this Eeuening it pleased God to giue vs cleere weather; and we found we were shot farre into the Inlet, being almost a Bay, and enuironed with very high Mountaynes, with low Land lying betweene them; wee had no ground in this Bay at an hundred fathoms. Then being sure where we were, we steered away West, the wind, at South-east and calme, and found all our Ice on the Norther shoare, and a cleare Sea to the Southward.

The second, it pleased God to giue vs the winde at North-east, a faire gale, with cleere weather, the Ice being to the Northward off vs, and the weather shoare, and an open Sea to the Southwards vnder our Lee. We held on our course North-west till twelue of the clocke; hauing sayled in that course 10 leagues, and finding the Ice to fall from vs to the , we gave thankes to God, who maruellously preserved vs from so many dangers, amongst so huge a quantitie of Ice and Fogge. We steered away North-west, hoping to be free from Ice, we had obseruation 78 degrees 56 minutes, we fell with Ice againe, and trended it as it lay betweene the West and South South-east. The third, we had obseruation 78 degrees 33 minutes. This day wee had our shrouds frozen, it was searching cold, we also trended the Ice, not knowing whether we were cleare or not, the winde being at North.

The fourth, was very cold, and our shroudes and sayles frozen, we found we were farre in the Inlet. The wind being at North, we beare vp and stood South South-east, and South and South-west by

West till ten this night. The fift, was very much wind at North Easterly: at twelue we strooke a Hull, hauing brought our selues neere the mouth of the Inlet.

The sixth, in the morning the wind was as before, and the Sea growne. This morning we came into a very Greene Sea, we had our obseruation 77 degrees 30 minutes. This after-noone the winde and Sea asswaged. About foure of the clocke we set sayle, and steered North-west and by West, the wind being at North North-east. This day proued the clearest day we had long before. The seuenth, at foure in the Morning was very cleare weather, and the fairest Morning that we saw in three weekes before, we steered as afore, being by our account in 78 degrees nearest hand, and out of the *Sacke*. We found we were compassed in with Land and Ice, and were againe entred into a *Blacke Sea*, which by proofe we found to be an open passage. Now hauing the winde at North North-east, we steered away South and by East, with purpose to fall with the Southermost part of this Land: which we saw, hoping by this meane, either to defray the charge of the Voyage, or else, if it pleased God in time to giue vs a faire wind to the North-east, to satisfie expectation. All this day and night afterward proued calme.

The eight, all the fore-noone proued calme, and very thicke fogge. This morning we saw many peeces of Drift-wood driue by vs, we heaued out our Boate to stop a leake, and mended our riggings. This day wee saw many Seales, and two Fishes which wee iudged to bee Sea-horses, or Morses. At twelue, this night we had the winde at East and by South, wee stood away North-east.

The ninth, all the fore-noone was little wind at South-east, with thicke fogge. This day we were in amongst Ilands of Ice, where we saw many Seales.

The tenth, in the morning was foggie, afterward it proued cleere, we found we were compassed with Ice euery way about vs: wee tacked about, and stood South and by West, and South South-west one Watch fiue leagues, hoping to get more Sea-roome, and to stand for the North-east, we had the wind at North-west.

The eleuenth, very cleere weather, with the winde at South South-east, we were come out of the *Blue Sea* into our *Green Sea* againe, where we saw Whales. Now hauing a fresh gale of wind at South South-east, it behooued mee to change my course, and to sayle to the North-east, by the Souther end of *Newland.* But being come into a *Greene Sea*, praying God to direct me, I steered away North ten leagues. After that, we saw Ice on our Lar-boord, we steered away East and by North three leagues, and left the Ice behind vs. Then we steered away North till noone. This day wee had the Sunne on the Meridian South and by West, Westerly, his greatest height was 37 degrees 20 minutes. By this obseruation we were in 79 degrees 17 minutes, we had a fresh gale of wind and a smooth sea, by meanes whereof our ship had out-runne vs. At ten this Eeuening cleere weather, and then we had the company of our troublesome neighbours Ice, with fogge. The wind was at South South-west. Heere we saw plentie of Seales, and we supposed Beares had beene heere, by their footing and dung vpon the Ice. This day, many of my Companie were sicke with eating of Beares flesh the day before vnsalted.

The twelfth, for the most part was thicke fogge, we steered betweene South and by East and South South-east two and an halfe leagues, to cleere vs of the Ice. Then we had the wind at South, we steered till noone North-east fiue leagues. This morning we had our shrouds frozen. At noone by our accompt we were in 80 degrees, being little wind at West

South-west, almost calme with thicke fogge. This after-noone we steered away North, and sometimes North-east. Then we saw Ice a head off vs, we cast about and stood South-east, with little wind and fogge. Before we cast about by meanes of the thicke fogge, we were very neere Ice, being calme, and the Sea setting on to the Ice, which was very dangerous. It pleased God at the very instant to giue vs a small gale, which was the meanes of our deliuerance, to him be praise therefore. At twelue this night, it cleered vp, and out of the top, *William Collins* our Boat-swaine, saw the Land, called *Newland* by the *Hollanders*, bearing South South-west twelue leagues from vs.

The thirteenth, in the morning the winde at South and by East, a good gale, we cast about and stood North-east and by East, and by obseruation we were in 80 degrees 23 minutes. This day we saw many Whales. This fore-noone proued cleere weather, and we could not see any signe of Ice out of the top. Betweene noone and three of the clocke, we steered away North-east and by East fiue leagues, then we saw Ice on head off vs, we steered East two Glasses one league, and could not be cleare of the Ice with that course. Then we steered away South-east two leagues and an halfe after we sayled East and by North, and East foure leagues, till eight the next morning.

The foureteenth, in the morning was calme with fogge. At nine the wind at East, a small gale with thicke fogge, we steered South-east and by East, and running this course we found our *Greene Sea* againe, which by proofe we found to be freest from Ice, and our Azure *Blue Sea* to be our Icie Sea. At this time we had more Birds then we vsually found. At noone being a thicke fogge, we found our selues neere Land, bearing East off vs; and running farther we found a Bay open to the West and by North Northerly, the bottome and sides thereof being to our

sight very high and ragged Land. The Norther side of this Bayes mouth being high land, is a small Iland, the which we called *Collins Cape*, by the name of our Boat-swaine, who first saw it. In this Bay we saw many Whales, and one of our company hauing a Hooke and Line ouer-boord to trie for Fish, a Whale came vnder the Keele of our ship, and made her held, yet by Gods mercie we had no harme, but the losse of the hooke and three parts of the line. At a South-west Sunne from the North-west and by North, a flood set into the Bay. At the mouth of this Bay we had sounding thirtie fathoms, and after sixe and twentie fathoms, but being farther in, we had no ground at an hundred fathoms, and therefore judged it rather a Sound then a Bay. Betweene this high ragged, in the swampes and vallies lay much snow. Heere wee found it hot. On the Souther side of this Bay, lye three or foure small Ilands or Rockes.

In the bottome of this Bay, *Iohn Colman* my Mate, and *William Collins* my Boat-swaine, with two others of our company went on shoare, and there they found and brought aboord, a payre of Morses teeth in the jaw, they likewise found Whales bones, and some dosen or more of Deeres Hornes, they saw the footings of Beasts of other sorts, they also saw Rotegeese, they saw much drift Wood on the shoare, and found a streame or two of Fresh water. Here they found it hot on the shoare, and dranke water to coole their thirst, which they also commended. Here we found the want of a better Ship-boate. As they certified me, they were not on the shoare past halfe an houre, and among other things brought aboord a Stone of the Countrey. When they went from vs it was calme, but presently after we had a gale of wind at North-east, which came with the Flood with fogge. We plyed too and againe in the Bay waiting their comming; but after they came aboord we had the

wind at East and by South a fine gale, we minding our Voyage, and the time to performe it, steered away North-east, and North North-east. This night proued cleere, and we had the Sunne on the Meridian, on the North and by East part of the Compasse, from the vpper edge of the Horizon with the Crosse-staffe, we found his height 10 degrees 40 minutes, without allowing any thing for the Semidiameter of the Sunne, or the distance of the end of the staffe from the Center in the Eye. From a North Sunne to an East Sunne, we sayled betweene North and North North-east, eight leagues.

The fifteenth, in the morning was very cleere vveather, the Sunne shining vvarme, but little vvind at East Southerly. By a South-east Sunne vve had brought *Collins Cape* to beare off vs South-east, and we saw the high land of *Newland*, that part by vs Discouered on our starboord, eight or ten leagues from vs, trending North-east and by East, and South-west and by West, eighteene or twentie leagues from vs to the North-east, being a very high Mountaynous Land, like ragged Rockes vvith snow betweene them. By mine account, the Norther part of this Land which now vve saw, stretched into 81 degrees. All this day proued cleere vveather, little Wind, and reasonable vvarme.

The sixteenth, in the morning warme and cleere weather, the vvinde at North. This morning we saw that vve vvere compassed in with Ice in abundance, lying to the North, to the North-vvest, the East and South-east, and being runne toward the farthest part of the Land by vs discouered, which for the most part trendeth nearest hand North-east and South-west, vvee saw more Land ioyning to thesame, trending North in our sight, by meanes of the cleernesse of the vveather, stretching farre into 82 degrees; and by the bowing or shewing of the skie much farther. Which when I first saw, I hoped to haue had a free Sea betweene the Land and the Ice,

and meant to haue compassed this Land by the North. But now finding by proofe it vvas vnpossible, by means of the abundance of Ice compassing vs about by the North, and ioyning to the land, and seeing God did blesse vs with a faire wind to sayle by the South of this Land to the North-east, vve returned, bearing vp the Helme, minding to hold that part of the Land, vvhich the *Hollanders* had discouered in our sight, and if contrary vvindes should take vs, to Harbour there, and to trie what vve could finde to the charge of our Voyage, and to proceed on our Discouerie, as soone as God should blesse vs with Winde. And this I can assure at this present, that betweene 78 degrees and a halfe, and 82 degrees by this way there is no passage: but I thinke this Land may bee profitable to those that will aduenture it. In this Bay before spoken of, and about this coast, we saw more abundance of Seales then we had seene any time before swimming in the water. At noone, this day hauing a stiffe gale of wind at North, we were thwart of *Collins Cape*, standing in 81 degrees and a halfe: and at one of the clocke the Cape beare North-east off vs. From thence I set our course West South-west, with purpose to keepe in the open Sea free from Ice, and sayled in that course 16 leagues. At ten this night we steered away South-west, with the wind at North a hard gale, vntill eight the next morning 18 leagues.

The seuenteenth, in the morning a good gale at North: at eight, we altered our course, and steered away South till eight in the Eeuening, and ranne 12 leagues. This day proued reasonable cleere and warme. The eighteenth, in the morning the wind encreased at South and by East, with thicke fogge. All this after-noone and night proued close weather, little fogge, and reasonable warme.

The nineteenth, at eight in the morning the wind at South, with thicke fogge, we steered South-east

4 leagues till noone: then the wind vered more large; wee steered South-east and by East 4 leagues till foure: then wee vered shete, and steered East and by South Easterly, 15 leagues, till eight the next morning. This day after the morning proued reasonable cleere and warme.

The twentieth, in the morning little wind: at eight this morning wee saw Land ahead of vs vnder our Lee, and to the weatherward of vs distant from vs 12 leagues, being part of *Newland*. It is very high mountainous Land; the highest that we had seene vntill now. As we sayled neere it, we saw a Sound ahead of vs, lying East and West. The Land on the Norther side of this Sounds mouth, trendeth neerest hand West North-west, and East South-east 12 leagues, in our sight being 10 leagues from vs. And the Land on the Souther side being 8 or 10 leagues in our sight; at this time trendeth South South-east, and North North-west; from eight to noone was calme. This day by obseruation we were in 77 degrees 26 minutes. On the Norther side of the mouth of this Inlet lie three Ilands, not farre the one from the other, being very high mountainous Land. The farthest of the three to the North-west, hath foure very high Mounts like heapes of Corne. That Iland next the Inlets mouth, hath one very high Mount on the Souther end. Here one of our companie killed a red billed Bird. All this day after the morning, and all night proued calme, enclining rather to heate then cold. This night wee had some warme rayne.

The one and twentieth, all the fore-noone calme; at foure in the after-noone we had a small gale of wind at South South-east, with fog; we steered away East to stand in with the Land, and sayled 3 leagues vntill mid-night: then the wind came at North-east, we cast about, and steered South 10 leagues till eight the next morning. The two and twentieth, at eight in the morning much wind at

East, and variable, with short sayle wee steered 3 leagues South and by East; then came downe very much wind; wee strooke a hull. All this after-noone and night, proued very much wind with raine.

The three and twentieth, all the fore-noone was very much wind at South, with raine and fogge. At foure this after-noone wee saw Land, bearing North-east of vs 6 leagues from vs. Then we had the wind at South South-west; wee steered away South-east, and South-east and by East 4 leagues, the Sea being very much growne. We accounted we had hulled North-west and by North 22 leagues; and North 3 leagues. Then fearing with much wind to be set on a lee shoare, we tackt about, and made our way good West and by North, halfe a point Northerly, all this night with much wind.

The foure and twentieth, in the morning much wind as afore, and the Sea growne. This morning wee strooke our mayne Top-mast to ease our ship, and sayled from the last Eeuening eight to this noone 15 leagues West and by North halfe a point Northerly. From twelue to eight, 6 leagues as afore, with the wind at South and by West: at eight we tackt about with the winde at South South-west, and lay South-east and by East, with much winde, and the Sea growne.

The fiue and twentieth, was a cleere morning we set our mayne Top-mast, we saw Land bearing North of vs, and vnder our Lee, we sayling South-east and by East. Then the wind scanted: we cast about, and lay South-west and by West 2 leagues and a halfe till noone. Then it began to ouer-cast, and the wind to scant againe: we cast about, and lay South-east and by South, the wind at South-west and by West, and sayled in that course 3 leagues till foure in the after-noone. Then the wind scanted againe, and we sayled 3 leagues South. Now, seeing how contrarie the winde proued, to doe the good

which wee desired this way; I thought to proue our fortunes by the West once againe: and this Eeuening at eight, wee being the latitude of 78 with the better, and from Land 15 leagues, which leagues part whereof beare from the North-east to the East off vs, we steered away West, with the wind at South-east, and cleere weather.

The sixe and twentieth, all this day proued rayne with thicke fog, and an hard gale of wind at East and by North, and East North-east. From the last Eeuening at eight to this noone, wee ranne 25 leagues: from noone till mid-night 19 leagues, the wind at East and by South; from midnight till two the next morning, 2 leagues West.

The seuen and twentieth, extreme thicke fog, and little wind at East and by South. Then it proued calme, and the Sea very loftie. Wee heard a great rutte or noise with the Ice and Sea, which was the first Ice we heard or saw since we were at *Collins Cape:* the Sea heauing vs Westward toward the Ice. Wee heaued out our Boat, and rowed to towe out our ship farther from the danger; which would haue beene to small purpose, by meanes the Sea went so high: but in this extremitie it pleased God to giue vs a small gale at North-west and by West, we steered away South-east 4 leagues till noone. Here we had finished our Discouerie, if the wind had continued that brought vs hither, or if it had continued calme: but it pleased God to make this North-west, and by West wind the meane of our deliuerance: which wind wee had not found common in this Voyage. God giue vs thankfull hearts for so great deliuerance. Here we found the want of a good ship-boat, as once we had done before at *Whales Bay:* we wanted also halfe a dozen long Oares to rowe in our ship. At noone the day cleered vp, and we saw by the skie Ice bearing off vs: from West South-west to the North and North North-east. Then we had a good gale at West, we steered away South

till foure 7 leagues. From foure to six South 4 leagues, and found by the Icy skie and our neerenesse to *Groneland*, that there is no passage that way: which if there had beene, I meant to haue made my returne by the North of *Groneland* to *Dauis* his Streights, and so for *England*. Here finding we had the benefit of a Westerly wind, which all this Voyage we had found scant, we altered our course, and steered to the Eastward, and ran South-east foure leagues. From eight this Eeuening till noone the next day; East South-east 30 leagues. All this day and night proued very cold, by meanes, as I suppose, of the winds comming off so much Ice.

The eight and twentieth, very cold, the wind at West, not very foggie. At noone this day we steered away South-east and by East, and by observation we were 76 degrees 36 minutes. From noone to eight 10 leagues. Then the wind scanted to South-east and by South, we steered away East and by North 18 leagues, till the next day noone.

The nine and twentieth, all the fore-noone a thicke fog and wet, the wind at South-east and by East, neerest hand, and raw cold. From noone to foure, wee sayled three leagues East and by North, halfe a point Northerly. Then the wind vered more large, we steered East and by South 8 leagues till twelue at night. At this time to windward we heard the rutte of Land; which I knew to be so, by the colour of the Sea. It was extreme thicke fog, so that we could hardly see a Cables length from our ship. We had ground 25 fathoms, small blacke peble stones. Wee sounded againe, and had ground at 30 fathomes small stones like Beanes, at the next cast no ground at 60 fathomes. I cast about againe, and steered South-west 6 leagues, West and by North two leagues till the next day noone. All this day and night extreme thicke fog.

The thirtieth, all the fore-noone very thicke fog. At noone almost calme: after we had little wind, and steered North North-west till two: then it cleered vp, so that we could see from vs two leagues with the wind at North-west. Then we steered East South-east: after it cleered. At South in the Eeuening, we saw an Iland bearing off vs North-west from vs 5 leagues, and we saw Land bearing off vs from vs 7 leagues. We had land likewise bearing off vs from East South-east, to South-east and by East as wee iudged, 10 leagues. Then hauing the winde at West North-west, we steered South and by East. It presently proued calme till ten this Eeuening: then wee had a little gale at South-west and by West, wee steered away South South-east till twelue this night, and accounted our selues in 76. from Land 10 leagues: which was the likeliest Land that wee had seene on all the parts of *Newland*, being playne riggie Land of a meane height, and not ragged as all the rest was that we had seene this Voyage, nor couered with snow. At twelue this night we saw two Morses in the Sea neere vs, swimming to Land. From twelue at night to foure, calme.

The one and thirtieth, at foure this morning we had the winde at South-east, we steered South South-west. Then it proued calme, and so continued all the fore-noone. The after-noone wee had the wind at East South-east, we steered South 8 leagues. Then being like to proue much wind, contrarie to our purpose, and finding our fog more thicke and troublesome then before, diuers things necessarie wanting, and our time well nigh spent to doe further good this yeere, I commanded to beare vp for our returne for *England*, and steered away South South-west. And this night proued a hard gale of wind at South-east and by East. Wee were thwart of *Cheries* Iland the next morning at foure of the clocke, being to windward off vs 5 leagues: knowing we were neere it, we looked out carefully

for the same, and it proving cleere, we saw it, being a very ragged Land on the Wester side, rising like Hey-cockes.

The first of August, a very hard gale of wind at East South-east, we shorted sayle, and steered away South South-west. This night was very foggie, with a hard gale of wind at East and by South, we steered by our account 27 leagues: and from eight this Eeuening till the next morning foure, 10 leagues as afore. All this night was very foggie, wet and raw cold.

The second, in the morning calme with a thicke fog, cold and slabbie weather. About noone we had a little gale West and by North, wee steered away as afore. The third, in the morning calme and cleere weather, with a little gale East and by South, we sayled South South-west: then wee had the wind at South-east, wee sayled as afore. All this day and night proued close weather, a little fogge at noone, which continued not long. At twelue this night the wind vered to the East and by North, wee held our course South South-west, as afore.

The fifteenth of August, we put into the Iles of *Farre*, standing in 52 degrees; and the fifteenth of September, I arriued in *Tilberie Hope* in the *Thames*.

A second Voyage or Employment of Master HENRY HVDSON, *for finding a passage to the East* Indies *by the North-east: written by himselfe.*

THEIR names employed in this action are as followeth: *Henry Hudson*, Master and Pilot; *Robert Iuet*, the Master his mate; *Ludlowe Arnall; Iohn*

Cooke, Boatsonne; *Philip Stacie*, Carpenter; *Iohn Barns; Iohn Braunch*, Cooke; *Iohn Adrey*, *Iames Strutton*, *Michael Feirce*, *Thomas Hilles*, *Richard Tomson*, *Robert Raynar*, *Iohn Hudson*, and *Humfrey Gilby*. The courses obserued in this Iournall were by a Compasse, that the Needle and the North of the Flye were directly one on the other.

Anno 1608, the two and twentieth of Aprill, being Friday, we set sayle at Saint *Katherines*, and fell down to *Blackewall*.

The twentieth of May, at noone by obseruation we were in 64 degrees 52 minutes, and at this time and place the Needle declined vnder the Horizon by the Inclinatory 81 degrees, and wee had a smooth Sea, by meanes whereof my obseruation was good.

The one and twentieth, at night thicke fog, wee sayled North North-east, with the wind at East. The two and twentieth, in the fore-noone the winde at South-east, wee steered North North-east, as afore: in the after-noone little wind and thicke fog; we accounted vs in 67 degrees, the Sea smooth, the Needle declined 82 degrees, this night was calme and cleere. The three and twentieth, in the morning the wind was Easterly, we stood North North-east, and North and by East. All the fore-noone was foggie: in the after-noone it cleered, and the wind shortned vpon vs, we made our way good North all night. The foure and twentieth, the wind at East North-east, and East and by North, we lay as neere as wee could with a full sayle; wee accounted *Lowfoot* from vs East Northerly, 16 leagues, distant from vs; at foure a clocke this after-noone, wee stood all night, as afore.

The fiue and twentieth, the wind at East North-east, we stood away North as we could lie: all this day was cleere weather, and searching cold, which cold begunne the one and twentieth day, and then my Carpenter was taken sicke, and so doth yet continue;

and three or foure more of our companie were enclining to sicknesse, I suppose by meanes of the cold. All the night it was calme. The sixe and twentieth, cold but cleere weather, the wind betweene East and East North-east, we stood North-easterly till twelue a clocke at night: then wee had the wind at North-east and North North-east, we stood South-east and East till noone the next day. The seuen and twentieth, cold and drie weather, at noone we had the wind North and North North-west; Wee stood away North-east, and East North-east, as we could, and accounted our selues in 69 degrees 40 minutes, and the Needle enclined, hauing a smooth Sea, neerest 84 degrees. All night we had wind and weather as afore.

The eight and twentieth, drie cold cleere weather; the wind betweene North North-west and North, we made our way good East North-east; wee saw the Sunne on the North Meridian aboue the Horizon 5 degrees 35 minutes. All this night we had much wind, as afore. The nine and twentieth, a hard gale at North North-west: by account we ranne from mid-night to noone 21 leagues, East North-east. Wee had the Sunne on the Meridian 5 degrees, the latitude 73 degrees 13 minutes, whereby wee found our ship to haue out-runne vs. At mid-night the wind came to South-east: we cast about, and stood East North-east. This day partly cleere weather with some snow. The thirtieth, cold cleere weather, the wind betweene North-east, and East and by North; we went East South-east, and obseruing, were in 73 degrees 50 minutes. The one and thirtieth, cold and cleere weather: from the last day till this day noone, we stood South-east and by South, in the latitude of 72 degrees 45 minutes.

The first of Iune, a hard gale at East North-east, with snow: we made our way good South South-east. The second, a hard gale of wind at North-east; towards night, calme with fogge, our course

was South-east all day. The third, in the morning we had a sight of the North Cape; and at a West and by North Sunne, the Cape bore off vs South-west, halfe a point Southerly, being from vs 8 leagues: and obseruing the variation, I found it to the Westward 11 degrees: and hauing a smooth Sea, the Needle enclined vnder the Horizon 84 degrees and a halfe, the neerest I could finde. We had the wind at South-west, and wee stood away North-east and by East. It was cleere weather, and we saw *Norway* Fisher-men at Sea.

The fourth, warme cleere sun-shine, we stood away North-east and by East. Now by Gods helpe our Carpenter recouered, and made a Mast for our ship-boat, and the companie made a Sayle, we had the Sunne in the sight on the North Meridian: his height was 5 degrees 40 minutes. Inclination 23 degrees 21 minutes: Poles height 72 degrees 21 minutes. The fift, in the morning calme weather: wee sounded, and had 140 fathoms, sand Oze: here wee saw a swelling Sea setting North-east and by East, and South-west and by West, with streame-leches: and we saw drift wood. After we had wind; and we sayled and made our way North North-east: towards night we sounded, and found ground at 150 fathoms, sand Oze. This day cleere weather, and not cold. The sixt, wee had cleere weather, the wind being at East North-East, from the last day till this day noone; we shaped our way on diuers courses North and by West, in the latitude of 73 degrees 24 minutes. We found that our ship had out-runne vs, sounding in 160 fathoms: in the after-noone little wind.

The seuenth, in the morning the wind at South, after at South South-east: from the last day till this day noone, wee accounted our way from diuers courses North-east, 15 leagues. This day was close but cleere weather, and we had a good gale of wind at this time. And three dayes before this, our Cooke

and one more of our companie were very sicke. In the morning, we had ground at 150 fathoms, and at night we had no ground at 180 fathoms, which encreased hope. This night we had some snow, which continued foure houres: then the wind came at North-east and by East with storme; and with short sayle we stood North and by West: here the Needle enclined 86 degrees. I accounted that we were in 74 degrees and a halfe at neerest hand. This night we saw the Sunne on the North Meridian, his height was 7 degrees 40 minutes, which maketh the Poles height 74 degrees 23 minutes. The eight, from twelue a clocke last night till noone, we accounted our way on diuers courses, North and by East: then our latitude was 74 degrees 38 minutes, and we had no ground at 200 fathoms. In the after-noone the wind came at South South-east, and South-east and by East. This day and night wee had cleere weather, and we were here come into a blacke blue Sea.

The ninth, cleere weather, the wind came at South-east and by East: from the last day till this day noone, wee had a good way North-east, in latitude of 75 degrees 29 minutes: then wee entered into Ice, being the first we saw in this Voyage: our hope was to goe through it, we stood into it, and held our course betweene North-east, and East North-east, loosing for one, and bearing roome for another, till foure in the after-noone: at which time we were so farre in, and the Ice so thicke and firme a head, being in it foure or fiue leagues, that wee had endangered vs, somewhat too farre; wee returned as wee went in, and with a few rubbes of our ship against the Ice; by eight a clocke this Eeuening wee got free of it. Wee made our way till next day at noone, South-west and by South, 18 leagues: in the middest of this way wee had no ground at 180 fathoms. The tenth, in the morning hasey weather; but at noone it cleered vp, and then we cast about,

and stood away North and by East, the wind being at East South-east, two watches, fiue leagues: then we had the wind at East, we cast about, and stood South South-east, and made a South way, sixe leagues. The eleuenth, in the morning a hard storme at East, and East and by South we strooke a hull.

The twelfth, in the morning fog, and all day after cleere weather, the wind at South South-west, we steered East and by North: at noone being in the latitude 75 degrees 30 minutes. From noone till foure a clocke, fiue leagues East and by North; then we saw Ice ahead of vs, and vnder our Lee trending from the North-west to the North and East of vs: We had sounding 100 fathoms, greenish Oze. Here we saw diuers pieces of drift wood by vs driuing, and streame Leeches lying South South-west, and North North-east. We many times saw the like since we saw the North Cape. The thirteenth, cleere weather, the wind at East, we made a South way 6 leagues, two watches: then we cast about, and made a North way one watch 3 leagues and a halfe: At twelue at night, much wind with fog, we strooke a hull and layed our ships head to the Southward. The fourteenth, in the fore-noone fog, and our shroudes were frozen: the after-noone was cleere Sun-shine, and so was all the night.

The fifteenth, all day and night cleere sun-shine; the wind at East, the latitude at noone 75 degrees 7 minutes. We held Westward by our account 13 leagues. In the after-noone the Sea was asswaged; and the wind being at East we set sayle, and stood South and by East, and South South-east as we could. This morning, one of our companie looking ouer boord saw a Mermaid, and calling vp some of the companie to see her, one more came vp, and by that time shee was come close to the ships side, looking earnestly on the men: a little after, a Sea came and ouerturned her: from the Nauill vpward, her her backe and breasts were like a womans, (as they

say that saw her) her body as big as one of vs; her skin very white; and long haire hanging downe behind, of colour blacke: in her going downe they saw her tayle, which was like the tayle of a Porposse, and speckled like a Macrell. Their names that saw her, were *Thomas Hilles* and *Robert Rayner*.

The sixteenth, cleere weather, the wind being at East. From the last day till this day noone, we made our way South and by East 9 leagues; and from noone to eight a clocke in the Eeuening, 6 leagues: then we cast about and stood to the Northwards.

The seuenteenth, cleere weather, the wind at South-east and by East; from the last day till this day noone, our way was North-east and by East, at noone being in the latitude of 74 degrees 40 minutes. At after-noone we sounded, and had ground at 86 fathom, greene Oze, and our water whitish greene: Here we saw Whales, Porpoises, and the Sea full of Fowles: from noone to mid-night North-east and by East we had the Sunne at lowest, on the North and by East, Easterly part of the Compasse: latitude 74 degrees 54 minutes. Sounding we had 92 fathoms water, Oze as before.

The eighteenth, faire weather, the wind at South-east and by East, from mid-night till this day noone, wee sayled North-east and by East, in the Latitude of 75 degrees 24 minutes, and had ground at ninetie fiue fathome Oze, as afore. Heere we had Ice in our sight to the Northward off vs. In the after-noone, hauing little wind at North-east, we cast about and lay East South-east, and at sixe a clocke, had ground at ninetie fiue fathoms and a halfe Oze, as afore. From noone to twelue a clock at night, our way was South-east, and South-east and by East, and had the Sunne on the Meridian, North and by East halfe a point Eastward. The Sunnes height was eight degrees 40 minutes. Sounding ninetie fathom. All this day, we had Ice on our Larboord trending: and

at this time, from the North-west off vs to the East South-east, I haue some reason to thinke there is a Tide or Current setting to the Northwards; the course wee held and the way we made betweene this noone and mid-night Obseruations, doe make mee suspect it the more.

The nineteenth, faire and warme weather, the sea smooth. Heere the Needle enclined vnder the Horizon 89 degrees and a halfe, being in the Latitude at noone of 75 degrees 22 minutes; Sounding wee had ground in an hundred fathom. From twelue a clocke last night till this day at noone, we accounted our way from East and by North to South-east, ten leagues, hauing Ice alwayes in our sight trending on our Larboord, wee had the winde betweene North, and North North-west. We saw the Sunne at the lowest on the North and by East, halfe a point Easterly, his height was 8 degrees 10 minutes, which maketh the Poles height 74 degrees 56 minutes; Sounding we had ground in one hundred and twentie sixe fathom. From noone to this time, wee accounted our way East and by South, and East South-east, twelue leagues.

The twentieth, faire warme weather, this morning at foure of the clocke, wee had depth one hundred and twentie fiue fathom. Heere we heard Beares roare on the Ice; and we saw vpon the Ice and neare vnto it, an incredible number of Seales. We had sounding one hundred and fifteen fathom, and after ground at ninetie fiue fathom sandie Oze. We had the Sun on the Meridian North and by East, halfe a a point Easterly; his height was 7 degrees 20 minutes. From twelue a clocke last night, to twelue a clocke this night, our way was made good by our account South-east and by South, twelue leagues, and South-east, three leagues and a halfe, the Ice always being on our Larboord. The wind this day, betweene North and North-west.

The one and twentieth, at foure a clocke in the morning wee sounded, and had one hundred and twentie fathome greene Oze, and the Ice bore off vs East, the winde variable; in diuers courses wee made our way good South South-east; our Latitude at noone being 74 degrees 9 minutes, we were haled to the Northward beyond expectation. All this day faire, cleere, and warme weather, and Ice on our Larboord at a North and by East Sunne; being then at lowest, his height was 7 degrees 40 minutes, which made the Poles height 74 degrees 33 minutes. From the last day at noone, till twelue a clocke this night, by account of our ships way, wee made our way good East North-east, sixe leagues and a halfe; whereby it doth appear how we were haled to the Northward. Heere wee had ground at one hundred and thirteene fathome, greene sandie Oze.

The two and twentieth, faire cleare weather, the winde at West North-west. At eight a clocke in the Morning, we had ground at one hundred and fifteene fathom, greene Oze. From mid-night to noone, our course was North-east and by East, being in the Latitude of 74 degrees 35 minutes, and we found that our ships way, and our obseruations were not but there was carefull heed taken of both. Heere we had Ice a head off vs, trending to the South-east; and all day before Ice on our Larboord. Here we stood South-east fiue leagues, then the Ice trended South and by West sixe leagues; we sayled by it, and doubled it by eight a clocke in the Eeuening, and then it bore East off vs. Heere hauing a smooth sea, the Needle inclined 85 degrees, from eight a clocke to twelue, North and by East Easterly. Then we had the Sunne on the Meridian, North and by East halfe a poynt Easterly. The Sunnes height was 7 degrees 45 minutes, which made the Latitude 74 degrees 43 minutes.

The three and twentieth, in the morning thicke fogge, the wind at North North-west. From mid-

night till foure a clocke this morning, we sayled North-east fiue leagues, and then we were among the Ice; we cast about, and stood two houres South-west, two leagues, and had no ground at one hundred and eightie fathom. Then we cast about againe, and stood East till eight a clocke two leagues, and then it cleered vp, and we had Ice a head off vs. And from North, we stood to South-east, and our shroudes were frozen. Then till noone wee went East and by South, foure leagues, and were neere Ice on our Larboord, in the Latitude of 74 degrees 30 minutes. In the after-noone the wind being at North, wee stood two houres and a halfe, fiue leagues and a halfe; three houres South South-east, fiue leagues; one houre South-east and by South, one league and a halfe; an houre East halfe a league, which brought eight in the Eeuening alwayes Ice on our Larboord. This after-noone, wee had some snow. From eight a clocke to mid-night, South South-west foure leagues, with Ice as afore. We saw the Sunne at the lowest, North North-east, his height was 7 degrees 15 minutes, the Poles height 74 degrees 18 minutes.

The foure and twentieth, cleere, but cold and some snow, the wind betweene North North-east, and North-east, from mid-night to foure a clocke, wee stood Southward two leagues, and South-east and by East two leagues. And from foure a clocke till noone, South-east Southerly nine leagues, sounding we had ground in one hundred and fortie fathome. From noone to three a clocke, we stood South-east and by South three leagues; from three to foure, South-west and by South one league; and had Ice from the North-east to the South-east off vs. From foure a clocke to eight, we stood South-west two leagues and a halfe, Southward halfe a league, with Ice neere vs vnder our Lead.

The fiue and twentieth, cold and cleare, the wind at East South-east; from eight a clocke last night

till foure this morning, our way was South and by East, foure leagues and a halfe; sounding we had ground in eightie fathome, then we had little wind till noone, at East North-east, and the Sunne on the Meridian, on the South-west and by South point of the Compasse, ere it began to fall, wee were in the Latitude of 72 degrees 52 minutes, and had Ice on our Larboord, and our hope of passage was gone this way, by meanes of our nearenesse to *Noua Zembla*, and the abundance of Ice. We had from Noone to eight a clocke in the Eeuening, the wind between North North-east, and North-east, we stood South-east three leagues and a halfe, and had Ice on our Larboord, and shoalding sixtie eight fathome.

The sixe and twentieth, faire Sun-shining weather, and little wind at East North-east. From twelue a clocke at night till foure this morning, we stood Southward two leagues, sounding wee had sixtie sixe fathome Oaze, as afore. From foure a clocke to noone, South-east and by South foure leagues, and had the Sunne on the Meridian, on the South-east and by South point of the Compasse, in the Latitude of 72 degrees 25 minutes, and had sight of *Noua Zembla* foure or fiue leagues from vs, and the place called by the *Hollanders*, *Swart Cliffe*, bearing off South-east. In the after-noone, wee had a fine gale at East North-east, and by eight of the clocke, we had brought it to beare off vs East Southerly, and sayled by the shoare a league from it.

The seuen and twentieth, all the fore-noone it was almost calme; wee being two mile from the shoare, I sent my Mate *Robert Iuet*, and *Iohn Cooke* my Boat-swaine on shoare, with foure others, to see what the Land would yeeld that might bee profitable, and to fill two or three Caskes with water. They found and brought aboord some Whales Finnes, two Deeres Hornes, and the Dung of Deere, and they told me that they saw Grasse on the shoare of the last yeere, and young Grasse came vp amongst it a

shaftman long; and it was boggie ground in some places, there are many streames of Snow water nigh, it was very hot on the shoare, and the snow melted apace, they saw the footings of many great Beares, of Deere, and Foxes. They went from vs at three a clocke in the morning, and came aboord at a South-east Sunne; and at their comming, wee saw two or three companies of Morses in the sea neere vs swimming, being almost calme. I presently sent my Mate, *Ladlow* the Carpenter, and sixe others a shoare to a place where I thought the Morses might come on the shoare, they found the place likely, but found no signe of any that had beene there. There was a Crosse standing on the shoare, much Drift-wood, and signes of Fires that had beene made there. They saw the footing of very great Deere and Beares, and much Fowle, and a Foxe; they brought aboord Whale finnes, some Mosse, Flowers and greene things that did there grow. They brought also two peeces of a Crosse, which they found there. The Sunne was on the Meridian on the North North-east, halfe a point Easterly, before it began to fall. The Sunnes height was 4 degrees 45 minutes, Inclination 22 degrees 33 minutes, which makes the Latitude 72 degrees 12 minutes. There is disagreement betweene this and the last observation; but by meanes of the cleernesse of the Sunne, the smoothnesse of the Sea, and the neernesse to Land, wee could not bee deceiued, and care was taken in it.

The eight and twentieth, at foure a clocke in the Morning our Boat came aboord, and brought two dozen of Fowle, and some Eggs, whereof a few were good, and a Whales finne; and wee all saw the Sea full of Morses, yet no signes of their being on shoare. And in this calme, from eight a clocke last Eeuening, till foure this Morning, we were drawne backe to the Northward, as farre as wee were the last Eeuening at foure a clocke, by a Streame or a Tide: and we chose rather so to driue, then to aduenture

the loss of an Anchor, and the spoyle of a Cable. Heere our new Ship-boate began to doe vs seruice, and was an incouragement to my Companie, which want I found the last yeere.

The nine and twentieth, in the morning calme, being halfe a league from the shoare, the Sea being smooth, the Needle did encline 84 degrees, we had many Morses in the Sea neere vs, and desiring to find where they came on shoare, wee put to with Sayle and Oares, towing in our Boat, and rowing in our Barke to get about a point of Land, from whence the Land did fall more Easterly, and the Morses did goe that way. VVee had the Sunne on the Meridian on the South and by VVest point, halfe a point to the VVester part of the Compasse, in the latitude of 71 degrees 15 minutes. At two a clocke this after-noone we came to anchor in the mouth of a Riuer, where lieth an Iland in the mouth thereof, foure leagues: wee anchored from the Iland in two and thirtie fathomes, blacke sandy ground. There droue much Ice out of it with a streame that set out of the Riuer or Sound, and there were many Morses sleeping on the Ice, and by it we were put from our Road twice this night; and being calme all this day, it pleased God at our need to giue vs a fine gale, which freed vs out of danger. This day was calme, cleere and hot weather: all the night we rode still.

The thirtieth, calme, hot, and faire weather, we weighed in the morning, and towed and rowed, and at noone we came to anchor neere the Ile aforesaid in the mouth of the Riuer, and saw very much Ice driuing in the Sea, two leagues without vs lying South-east and North-west; and driuing to the North-west so fast, that wee could not by twelue a clocke at night see it out of the top. At the Iland where wee rode, lieth a little Rocke, whereon were fortie or fiftie Morses lying asleepe, being all that it could hold, it being so full and little. I sent my companie ashoare to them, leauing none aboord but

my Boy with mee: and by meanes of their neerenesse to the water, they all got away, saue one which they killed, and brought his head aboord; and ere they came aboord they went on the Iland, which is reasonable high and steepe, but flat on the top. They killed and brought with them a great Fowle, whereof there were many, and likewise some Egges, and in an houre they came aboord. This Ile is two flight-shot ouer in length, and one in breadth. At mid-night our Anchor came home, and wee tayld aground by meanes of the strength of the streame, but by the helpe of God, wee houed her off without hurt. In short time wee moued our ship, and rode still all night; and in the night wee had little wind at East, and East South-east. VVee had at noone this day an obseruation, and were in the latitude of 71 degrees 15 minutes.

The first of Iuly, we saw more Ice to Seaward of vs; from the South-east to the North-west, driuing to the North-west. At noone it was calme, and we had the Sunne on the Meridian, on the South and by VVest point, halfe a point to the VVesterly part of the Compasse, in the latitude of 71 degrees 24 minutes. This morning I sent my Mate *Eueret*, and foure of our companie to rowe about the Bay, to see what Riuers were in the same, and to find where the Morses did come on land; and to see a Sound or great Riuer in the bottome of the Bay, which did alwaies send out a great streame to the Northwards, against the tide that came from thence: and I found the same in comming in, from the North to this place before this. VVhen by the meanes of the great plenty of Ice, the hope of passage betweene *Newland* and *Noua Zembla* was taken away; my purpose was by the *Vaygats* to passe by the mouth of the Riuer *Ob*, and to double that way the North Cape of *Tartaria*, or to giue reason wherefore it will not be: but being here, and hoping by the plentie of Morses wee saw here, to defray the charge of our Voyage;

and also that this Sound might for some reasons bee a better passage to the East of *Noua Zembla*, then the *Vaygats*, if it held according to my hope conceiued by the likenesse it gaue: for whereas we had a floud came from the Northwards; yet this Sound or Riuer did runne so strong, that Ice with the streame of this Riuer was carried away, or any thing else against the floud: so that both in floud and ebbe, the streame doth hold a strong course; and it floweth from the North three houres, and ebbeth nine.

The second, the wind being at East South-east, it was reasonable cold, and so was Friday; and the Morses did not play in our sight as in warme weather. This morning at three of the clocke, my Mate and companie came aboord, and brought a great Deeres horne, a white locke of Deeres haire; foure dozen of Fowle, their boat halfe laden with drift Wood; and some Flowers and greene things, that they found growing on the shoare. They saw a herd of white Deere, of ten in a companie on the land; much drift wood lying on the shoare, many good Bayes, and one Riuer faire to see on the North shoare, for the Morses to land on: but they saw no Morses there, but signes that they had beene in the Bayes. And the great Riuer or Sound, they certified me, was of breadth two or three leagues, and had no ground at twentie fathoms, and that the water was of the colour of the Sea, and very salt, and that the streame setteth strongly out of it. At sixe a clocke this morning, came much Ice from the Southward driuing vpon vs, very fearefull to looke on: but by the mercy of God and his mightie helpe, we being moored with two Anchors ahead with vering out of one Cable, and heauing home the other, and fending off with Beames and Sparres, escaped the danger: which labour continued till sixe a clocke in the Eeuening, and then it was past vs, and we rode still and tooke our rest this night.

The third, the wind at North a hard gale: At three a clocke this morning wee weighed our anchor, and set sayle, purposing to runne into the Riuer or Sound before spoken of.

The fourth, in the morning it cleered vp with the wind at North-west, we weighed and set sayle, and stood to the Eastwards, and past ouer a Reefe, and found on it fiue and halfe, sixe, sixe and a halfe, and seuen fathoms water: then we saw that the Sound was full, and a very large Riuer from the North-eastward free from Ice, and a strong streame comming out of it: and wee had sounding then, foure and thirtie fathoms water. Wee all conceiued hope of this Northerly Riuer or Sound, and sailing in it, wee found three and twentie fathomes for three leagues, and after twentie fathomes for fiue or sixe leagues, all tough Ozie ground. Then the winde vered more Northerly, and the streame came downe so strong, that wee could doe no good on it: wee came to anchor, and went to supper, and then presently I sent my Mate *Iuet*, with fiue more of our companie in our Boat, with Sayle and Oares to get vp the Riuer, being provided with Victuall and Weapons for defence, willing them to sound as they went; and if it did continue still deepe, to goe vntill it did trende to the Eastward, or to the Southwards, and wee rode still.

The fift, in the morning we had the wind at West; we began to weigh anchor, purposing to set sayle and to runne vp the Sound after our companie: then the wind vered Northerly vpon vs, and we saued our labour. At noone our companie came aboord vs hauing had a hard rought; for they had beene vp the Riuer sixe or seuen leagues, and sounded it from twentie to three and twentie; and after brought it to eight, sixe, and one fathome; and then to foure foot in the best: they then went ashoare, and found good store of wilde Goose quills, a piece of an old Oare, and some Flowers, and greene things which

they found growing: they saw many Deere, and so did we in our after-dayes sayling. They being come aboord, we presently set sayle with the wind at North North-west, and we stood out againe to the South-westwards, with sorrow that our labour was in vaine: for, had this Sound held as it did make shew of, for breadth, depth, safenesse of harbour, and good anchor ground, it might haue yeelded an excellent passage to a more Easterly Sea. Generally, all the Land of *Noua Zembla* that yet wee haue seene, is to a mans eye a pleasant Land; much mayne high Land with no Snow on it, looking in some places greene, and Deere feeding thereon: and the Hills are partly couered with Snow, and partly bare. It is no maruell that there is so much Ice in the Sea toward the Pole, so many Sounds and Riuers being in the Lands of *Noua Zembla*, and *Newland* to ingender it; besides the coasts of *Pechora*, *Russia*, and *Groneland*, with *Lappia*, as by proofes I finde by my trauell in these parts: by meanes of which Ice I suppose there will be no nauigable passage this way. This Eeuening wee had the wind at West and by South: wee therefore came to anchor vnder *Deere* Point; and it was a storme at Sea, wee rode in twentie fathomes, Ozie ground: I sent my Mate, *Ladlow*, with foure more ashoare to see whether any Morses were on the shoare, and to kill some Fowle, (for we had seene no Morses since Saturday, the second day of this moneth, that wee saw them driuing out of the Ice.) They found good landing for them, but no signe that they had beene there: but they found that fire had beene made there, yet not lately. At ten of the clocke in the Eeuening, they came aboord, and brought with them neere an hundred Fowles called Wellocks; this night it was wet fogge, and very thicke and cold, the winde at West South-west.

The sixt, in the morning wee had the wind stormie and shifting; betweene the West and South-

west, against vs for doing any good: we rode still and had much Ice driuing by vs to the Eastward of vs. At nine of the clocke, this Eeuening wee had the wind at North North-west: we presently weighed, and set sayle, and stood to the Westward, being out of hope to find passage by the North-east: And my purpose was now to see whether *Willoughbies* Land were, as it is layd in our Cardes; which if it were, wee might finde Morses on it; for with the Ice they were all driuen from hence. This place vpon *Noua Zembla*, is another then that which the *Hollanders* call *Costing Sarch*, discouered by *Oliuer Brownell:* and *William Barentsons* obseruation doth witnesse the same. It is layd in plot by the *Hollanders* out of his true place too farre North: to what end I know not, vnlesse to make it hold course with the Compasse, not respecting the variation. It is as broad and like to yeeld passage as the *Vaygats*, and my hope was, that by the strong streame it would haue cleered it selfe; but it did not. It is so full of Ice that you will hardly thinke it. All this day, for the most part, it was fogge and cold.

The seuenth, cleere but cold weather: in the morning the wind was at the North; from the last Eeuening to this morning, we set saile and kept our course West and by South, fifteene leagues. From morning to eight a clocke in the Eeuening it was calme: then we had the wind againe at North, and we sayled till nine a clocke next morning West South-west, eight leagues; then the wind being West and by South, wee went North and by West, three leagues, and wee had the Sunne at the highest South South-west, in the latitude of 71 degrees 2 minutes. The eight, faire weather; at noone we had the wind at East North-east, we stood North three leagues till foure a clocke: then the wind being at west and by North, wee stemmed North and by West one league and a halfe, till six a clocke in the Eeuening; then the wind was at North-east a hard gale,

and wee stood till next day at noone West and by North, by account three and twentie leagues: we had the Sunne on the Meridian, South and by West, halfe a point neerest West, in the latitude of 70 degrees 41 minutes. The ninth, cleere weather: from this to the next day at noone, we sayled South-west and by West, twelue leagues, and Northward three leagues: and in these courses had these soundings, 41, 42. 46. 48. and 45 fathoms: we had the Sunne South and by VVest, halfe a point to the VVest part of the Compasse. The Sea was loftie: our latitude was 70 degrees 20 minutes.

The tenth, cleere but close weather: from this till next day noone, wee had little wind at West North-west: by account we made our way fiue leagues North-easterly. Wee had the Sun at the highest on the South and by West point, and a terce Westward, in the latitude of 70 degrees 55 minutes, and I thinke we had a rustling tide vnder vs; and in this time had sounding betweene fortie fiue and fortie fathomes, white sand. The eleuenth, cleere weather: from this to the next day at noone, little wind at North North-east, and sometimes calme; wee sayled West and by North by account fiue leagues; and had the Sunne on the Meridian on the South and by West point one third West in the latitude of 70 degrees 26 minutes, and found a rustling vnder vs. This fore-noone we were come into a greene Sea, of the colour of the mayne Ocean, which we first lost the eight of Iune: since which time wee haue had a Sea of a blacke blue colour, which (both by the last and this yeeres experience) is a Sea pestered with Ice.

The twelfth, faire weather: from noone to midnight wee had the wind shifting betweene the North and West; our course was betweene VVest North-west, and South South-west. Then we had the wind at South, we sayled till the next day at noone, West and by North, thirteene leagues: wee ac-

counted our way from the last day till this day noone Westward, eighteene leagues. This after-noone wee saw more Porpoises then in all our Voyage afore. The thirteenth, close weather: in the after-noone hauing much wind at South, with short sayle we stood away West and by North, till eight a clocke in the Eeuening: then we had the wind at South, but most times calme till noone the next day: wee stood away as afore, foure leagues, which made in all twelue leagues: we had the Sunne ere it began to fall, South and by West, in the latitude of 70 degrees 22 minutes.

The fourteenth, wee stood West North-west till mid-night, seuenteene leagues: then the wind scanted and came at West, we stood North North-west, one league and a halfe; then the wind being more Southerly, wee sayled West North-west, fiue leagues. From the last till this day at noone, our way was out of diuers courses North-west and by West, foure and twentie leagues. We had the Sunne beginning to fall at South and by West, in the latitude of 70 degrees 54 minutes.

The fifteenth, faire; but towards night like to be stormie with thunder, the wind betweene South and South South-east; from this, till the sixteenth day at noone, our course was West and by North, seuen and twentie leagues, and the Sunne then began to fall at South, three quarters of a point Westward, in the latitude of 70 degrees 42 minutes. The sixteenth, faire; our way was from this till next day at noone North-west, twelue leagues, out of diuers courses: and we had the wind shifting, sometimes at East, at West South-west, and West and by North; the latitude by a bad obseruation, 71 degrees 44 minutes. The seuenteenth, in the fore-noone faire; the wind being at West and by North. At foure a clocke this morning we saw Land beare off vs, West and South South-west, which was about *Ward-house:* this after-noone wee had a storme at West and by North,

we layed it to trie till eight a clocke in the Euening, and then set sayle with the wind betweene West North-west, and North-west: our course till the next day at noone, was South-west and by South, twelue leagues: the Cape *Hopewell* bore off vs South South-west, and we were foure or fiue leagues from land.

The eighteenth, gusty, with raine all the fore-noone; then we had the wind shifting till next day at noone from South South-east to East, and South-east: our course in generall was North-west, foure and twentie leagues: then did North *Kene* beare off vs West halfe a point Southward, being from vs foure leagues; and the North Cape in sight bearing West and by North, &c.

The seuen and twentieth, cold with raine and storme; this night we began to burne Candle in the Betacle, which we had not done since the nineteenth of May: by reason wee had alwaies day from thence till now. The thirtieth, we had the Sunne vpon the Meridian due South, in the latitude of 68 degrees 46 minutes; whereby we found vs to bee afore our ship, ten or twelue leagues, and *Lowfoot* bore East of vs, but not in sight.

The seuenth of August, I vsed all diligence to arriue at *London*, and therefore now I gaue my companie a certificate vnder my hand, of my free and willing return, without perswasion or force of any one or more of them: for at my being at *Noua Zembla*, the sixt of Iuly, voide of hope of a North-east passage, (except by the *Vaygats*, for which I was not fitted to trie or proue,) I therefore resolued to vse all meanes I could to sayle to the North-west; considering the time and meanes wee had, if the wind should friend vs, as in the first part of our Voyage it had done, and to make triall of that place called *Lumleys Inlet*, and the furious ouer-fall by Captayne *Dauis*, hoping to runne into it an hundred leagues, and to returne as God should enable mee.

But now hauing spent more then halfe the time I had, and gone but the shortest part of the way, by meanes of contrary winds; I thought it my duty to saue Victuall, Wages, and Tackle, by my speedy returne, and not by foolish rashnesse, the time being wasted, to lay more charge vpon the action then necessitie should compell, I arriued at *Grauesend* the six and twentieth of August.

The third Voyage of Master HENRY HVDSON *toward* Noua Zembla, *and at his returne, his passing from* Farre *Ilands, to* New-found Land, *and along to fortie foure degrees and ten minutes, and thence to* Cape Cod, *and so to thirtie three degrees; and along the Coast to the Northward, to fortie two degrees and an halfe, and vp the Riuer neere to fortie three degrees. Written by* ROBERT IVET, *of* Lime-house.

ON Saturday the fiue and twentieth of March, 1609, after the old Account, we set sayle from *Amsterdam;* and by the seuen and twentieth day, we were downe at the *Texel:* and by twelue of the clocke we were off the Land, it being East of vs two leagues off. And because it is a journey vsually knowne, I omit to put downe what passed, till we came to the height of *The North Cape of Finmarke*, which we did performe by the fift of May (*stilo nouo*) being Tuesday. On which day we obserued the height of the Pole, and found it to bee 71 degrees and 46 minutes; and found our Compasse to vary six degrees to the West: and at twelue of the clocke, the North Cape did beare South-west and by South

tenne leagues off, and wee steered away East and by South, and East.

After much trouble with fogges, sometimes, and more dangerous of Ice. The nineteenth, being Tuesday, was close stormie weather, with much wind and snow, and very cold: the wind variable betweene the North North-west, and North-east. We made our way West and by North till noone. Then we obserued the Sunne hauing a slake, and found our heigth to bee 70 degrees 30 minutes. And the ship had out-runne vs twentie leagues, by reason of the set of the streame of *The White Sea:* and we had sight of *Wardhouse.* Then at two of the clocke wee tackt to the Eastward: for we could not get about the North Cape, the wind was so scant; and at eight of the clocke at night, on the one and twentieth, the North Cape did beare South-east and by South seuen leagues off. And at mid-night *Assumption* Point did beare South and by East, fiue leagues off vs.

The two and twentieth, gusting weather with haile and snow, the Sunne breaking out sometimes: we continued our course along the Land West South-west. And at tenne of the clocke at night we were thwart off *Zenam.* The bodie of it did beare East off vs fiue leagues: and the course from the North Cape to *Zenam*, is for the most part West and by South, and West South-west, fiftie foure leagues.

The three and twentieth, faire Sun-shining weather; the wind at East and by South, and East South-east, wee steered along the Land South-west, and South-west and by West, eight leagues a Watch, for so we found the Land to lye from *Zenam* to *Lofoote.* And the distance is fiftie leagues from the bodie of *Zenam*, to the Westermost Land of *Lofoote.* And from the one to the other, the course is South-west and by West. For the Needle of our Compasse was set right to the North. At twelue of the

clocke at night, the bodie of *Lofoote* did beare South-east, sixe leagues off.

The foure and twentieth, faire cleere Sun-shining weather: the wind variable vpon all points of the Compasse, but most vpon the South-east, and sometimes calme. We continued our course West South-west as before. And at eight of the clocke at night, the Souther part of *Lofoote* did beare South-east ten leagues off vs.

The fiue and twentieth, much wind at North-east, with some snow and haile. The first watch the wind came to the East a fine gale, and so came to the North-east, the second watch at foure of the clocke, and freshed in: And at eight of the clocke it grew to a storme, and so continued. At noone we obserued, and made the ship to be in 67 degrees 58 minutes. Wee continued our course South-west, twelue leagues a watch. At nine of the clocke, *Lofoote* did beare East of vs 15 leagues off. And we found the Compasse to haue no variation. The wind increased to a storme.

The six and twentieth, was a great storme at the North North-east, and North-east. Wee steered away South-west afore the wind with our fore course abroad: for wee were able to maintayne no more sayles, it blew so vehemently, and the Sea went so high, and brake withall, that it would haue dangered a small ship to lye vnder the Sea. So we skudded seuenty leagues in foure and twentie houres. The storme began to cease at foure of the clocke.

The seuen and twentieth, indifferent faire weather, but a good stiffe gale of wind at North, and North North-east, wee held on our course as before. At noone wee obserued and found our heigth to be 64 degrees 10 minutes. And wee perceiued, that the Current had hindred vs in fortie eight houres to the number of 16 leagues to our best judgment. We set our mayne-sayle, sprit-sayle, and our mayne-top-

sayle, and held on our course all night, hauing faire weather.

The eight and twentieth, faire weather and little wind at North-east, we held on our course South-west. At noone wee obserued the heigth, and were in 62 degrees and 30 minutes. The after-noone was little wind at North North-west. The second watch it fell calme. At foure of the clocke wee had sight of the Iles called *Farre*, and found them to lye out of their place in the Sea Chart fourteene leagues to farre Westerly. For in running South-west from *Lofoote*, wee had a good care to our steerage and obseruations; and counted our selues thirtie leagues off by our course and obseruation: and had sight of them sixteene or eighteene leagues off.

The nine and twentieth, faire weather sometimes calme, and sometimes a gale with the wind varying at South-west, and so to the North-east. Wee got to the Ilands, but could not get in. So we stood along the Ilands. The ebbe being come, we durst not put in.

Thirtieth faire weather; the wind at South-east and East South-east. In the morning we turned into a Road in *Stromo*, one of the Ilands of *Farre*, betweene *Stromo* and *Mugge-nes*, and got in by nine of the clocke: for it flowed so there that day. And assoone as we came in, we went to Romage, and sent our Boat for water, and filled all our emptie Caskes with fresh water. Wee made an end of our Romaging this night by ten of the clocke.

The one and thirtieth, faire Sun-shining weather, the wind at East South-east. In the fore-noone our Master with most of his Company went on shoare to walke, and at one of the clocke they returned aboord. Then we set sayle.

The first of Iune, *stilo nouo*, faire Sun-shining weather, the wind at East South-east. We continued on our course South-west and by West. At

noone wee obserued the Sunne, and found our heigth to be 60 degrees 58 minutes: and so continued on our course all night with faire weather. This night we lighted Candles in the Bittacle againe.

The second mystie weather, the wind at North-east. At noone we steered away West South-west, to find *Busse* Iland, discouered in the yeere 1578, by one of the ships of Sir *Martin Frobisher*, to see if it lay in her true latitude in the Chart or no: wee continued our course as before all night, with a faire gale of wind: this night we had sight of the first stars, and our water was changed colour to a white greene. The Compasse had no variation.

The third, faire Sun-shining weather; the wind at North-east. We steered on our course South-west and by West, with a stiffe gale of wind. At noone we obserued and found our heigth to bee 58 degrees 48 minutes. And I was before the ship 16 leagues, by reason of the Current that held vs so strong out of the South-west. For it is eight leagues in foure and twentie houres. We accounted our selues neere *Busse* Iland: by mid-night wee looked out for it, but could not see it.

The fourth, in the morning was much wind with fogge and raine. Wee steered away South-west by west all the fore-noone, the wind so increasing, that wee were enforced to take in our top-sayle: the winde continuing so all the after-noone. Wee steered away South-west all the fore-part of the night; and at ten of the clocke at night it was little wind; and that was at South, and so came vp to the South South-east.

The fift, stormie weather, and much wind at South, and South by East, so that at foure of the clocke in the morning, we tooke in our fore-sayle, and lay a try with our mayne corse, and tryed away West North-west foure leagues. But at noone it was lesse wind, and the Sunne shewed forth; and we obserued, and found our heigth to be 56 degrees 21 minutes. In the after-noone the wind vered to and

fro betweene the South-west and the South-east, with raine and fogge, and so continued all night. Wee found that our ship had gone to the VVestward of our course. The sixth, thicke hasie weather with gusts of wind, and showers of raine. The wind varied betweene East South-East and South-west, wee steered on many courses a West South-west way. The afternoone watch the wind was at East South-east, a stiffe gale with myst and raine. Wee steered away South-west, by West eight leagues. At noone the Sunne shone forth, and we found the heigth to bee 56 degrees 8 minutes. The seuenth, faire sun-shining weather all the fore-noone, and calme vntill twelue of the clocke. In the after-noone the wind came to the North-west, a stiffe gale. We steered South-west by West, and made a South-west way. At noone we found the height to bee 56 degrees one minute, and it continued all night a hard gale. The eight, stormy weather, the wind variable, betweene West and North-west much wind: at eight of the clocke wee tooke off our Bonnets. At noone the Sunne shewed forth, and wee obserued, and our height was 54 degrees 30 minutes. The ninth, faire sun-shining weather, and little wind all the fore-part of the day vntill eleuen of the clocke. Then the wind came to the South South-east, and we steered away West South-west. At noone we found our height to bee 53 degrees and 45 minutes, and we had made our way South by West ten leagues. In the after-noone the wind increased and continued all night at East North-east and East.

The tenth, faire weather, the wind variable betweene East North-east and South-east, wee steered on our course as before. At foure of the clocke in the afternoon the wind came vp at South-east. And we held our course as before. At noone wee obserued and found our height to be 52 degrees 35 minutes.

The eleuenth, in the morning was thicke and foggie, the winde varying betweene South South west,

and North-west. At foure of the clocke in the morning, wee tackt about to the Southward: At eleuen of the clocke the winde came to the North-west, and so to the West North-west. This day we had change of water, of a whitish greene, like to the Ice water to the North-west. At noone it cleered vp, and became very faire weather: wee put out our mayne top-sayle: then we obserued the Sunne, and found our height to be 51 degrees 24 minutes. We had sayled many courses and found our ship gone to the Southward of our account ten leagues, by reason of a current from the North-ward. The Compasse vâried one point to the East.

The twelfth, faire Sun-shining weather, but much wind at the west: we stood to the Southward all day, the wind shifting betweene the South-west and the West and by North. Wee made our way South halfe a point West, eight and twentie leagues. Our height at noone was 50 degrees 9 minutes. At eight of the clock at night we took off our Bonets, the wind increasing.

The thirteenth, faire Sun-shining weather: the wind variable betweene the West, and North North-west. We made our way South South-west seuen and twentie leagues. At noone we obserued, and found our heigth to be 48 degrees 45 minutes. But not to be trusted, the Sea went so high. In the after-noone the winde was calmer, and wee brought to our Bonets, and stood to the Southward all night with a stiffe gale.

The fourteenth, faire and cleere Sun-shining weather: the winde variable betweene the North-west and South-west by West. At mid-night I obserued the North starre at a North-west by West Guarde; a good obseruation 49 degrees 30 minutes. And at noone wee obserued the Sunne, and our heigth was 48 degrees 6 minutes. And I made account we ranne betweene the two obseruations twelue leagues. At one of the clocke in the after-noone, wee cast

about to the Westward, and stood so all night: the winde increased to a storme, and was very much winde with Raine.

The fifteenth, we had a great storme, and spent ouer-boord our fore-mast, bearing our fore corse low set. The sixteenth, we were forced to trie with our mayne sayle, by reason of the vnconstant weather. So wee tried foure watches South-east and by South eight leagues and an halfe, and two watches sixe leagues. The seuenteenth, reasonable faire weather: the wind variable betweene West South-west, and West North-west. And a stiffe gale of wind, and so great a swelling Sea out of the West South-west, that wee could doe nothing. So one watch and an halfe wee droue North foure leagues and an halfe, and foure watches and an halfe South and by East halfe a point East twelue leagues. The eighteenth, reasonable weather but close and cloudie, and an hard gale of wind, and a great Sea. The winde being at the North-west, wee lay to the Southward, and made our drift South and by West, fiue leagues. The after-noone proued little wind, and the night part calme. The nineteenth, in the fore-noone faire weather and calme. In the morning we set the piece of our fore mast, and set our fore corse.

The one and twentieth, faire Sun-shining weather, but much wind and a great Sea. We split our fore saile at ten of the clocke; then we laid it a trie with our mayne sayle, and continued so all day. In the night it fell to be little wind. This day our heigth was 45 degrees 48 minutes.

The two and twentieth, very faire Sun-shining weather, and calme all the after-noone. At noone we made a very good obseruation, and found our heigth 44 degrees 58 minutes. At eight of the clocke at night wee had a small gale of winde at South-east. And wee steered away West for *Newfound* Land. The true Compasse varied one point East.

The three and twentieth, thicke weather with much wind and some raine. At eight of the clocke in the morning, the wind came to the West South-west, and West so stiffe a gale, that we were forced to take our top-sayle, and steered away North North-west vntill foure of the clock in the after-noone. Then we tact to the Southward the winde at West North-west. At eight of the clocke at night wee tooke in our top-sayles, and laid it a trie with our mayne sayle, the winde at West.

The foure and twentieth, a stiffe gale of wind, varying betweene the West and North North-west, we tried till sixe of the clocke: at which time we set our foresaile, and steered way West and by South by our Compasse eight leagues in foure watches: and wee tried away South in one watch and an halfe.

The fiue and twentieth, faire Sun-shining weather, the wind at North North-west and North, we steered away West by South by our Compasse till twelue of the clocke: at which time we had sight of a sayle, and gaue her chase but could not speake with her. She stood to the Eastward; and we stood after her till sixe of the clocke in the after-noone. Then wee tact to the Westward againe, and stood on our course. It was faire all night, and little wind sometimes.

The six and twentieth, all the fore-part of the day very faire weather and hot, but at foure of the clocke in the after-noone it grew to bee much winde and raine: the winde was at South South-east. At noone wee obserued and found our heigth to bee 44 degrees 33 minutes. At eight of the clocke at night, the wind came to South-west, and West South-west. Wee steered North-west, one Watch, and at twelue in the night, to the West, and West and by South, very much wind. So we could lye but North North-west.

The seuen and twentieth, very much winde and a soare storme, the wind Westerly. In the morning

at foure of the clocke, wee tooke in our fore-corse, and layd it a trie with our mayne-corse low set; and so continued all the day and night, two watches to the Northward. At eight of the clocke at night, we tackt to the Southward.

The eight and twentieth, faire sun-shining weather, the wind at West and by South; we lay a trie to the Southward till eight of the clocke in the morning. Then we set our fore-corse, and stood to the Southward a stiffe gale of wind, but faire weather and a great Sea, out of the Wester-boord, and so continued all night.

The nine and twentieth, faire sun-shining weather, the wind at West and by South; we stood to the Southward vntill sixe of the clocke at night, and made our way South and by East, foure leagues. Then the winde came to the South-west, and wee cast about to the VVestward, and made our way VVest North-west all night. At noone, I found the height 43 degrees 6 minutes. The variation one point VVest.

The thirtieth, faire sun-shining weather, the winde at South-west and by VVest, we steered North-west and by VVest. And made our way so, by reason of the variation of the Compasse. At noone, I found the height to bee 43 degrees 18 minutes; wee continued our course all night, and made our way North-west and by VVest, halfe a point VVesterly, fiue and twentie leagues.

The first of Iuly, close, mystie and thicke weather, but a faire gale of wind at South-west, and South-west by South. We steered away North-west and by West, Westerly, and made our way so, by reason of the variation of the Compasse. At eight of the clocke at night, wee sounded for the Banke of *New-found Land*, but could get no ground.

The second, thicke mystie weather, but little wind, and that at West, and West and by South. At eight of the clocke in the morning, we cast about

to the Southward, and when our ship was on stayes, we sounded for the Banke, and had ground in thirtie fathoms, white sand and shells, and presently it cleered: and we had sight of a sayle, but spake not with her. In the night we had much Rayne, Thunder and Lightning, and wind shifting.

The third, faire Sun-shining weather, with a faire gale of wind at East North-east, and wee steered away West South-west by our Compasse, which varyed 17 degrees Westward. This morning we were among a great Fleet of *French*-men, which lay Fishing on the Banke; but we spake with none of them. At noone wee found our heighth to bee 43 degrees 41 minutes. And we sounded at ten of the clocke, and had thirtie fathoms gray sand. At two of the clocke wee sounded, and had fiue and thirtie fathoms gray sand. At eight of the clocke at night, we sounded againe, and had eight and thirtie fathoms gray sand, as before.

The fourth, at the fore-part of the day cleere, with a faire gale of wind, but variable betweene the East North-east, and South and by East, wee held on our course as before. The after-noone was mystie, the wind shifting betweene the South and the West, till foure of the clocke. Then we tooke in our top-sayle and sprit-sayle, and sounded and had no ground in seuentie fathoms. The winde shifted still vntill eight of the clocke, then it came to the North North-east, and North-east and by North, and we steered away West North-west, by our varyed Compasse, which made a West way halfe point North. The Compasse varyed 15 degrees from the North to the West.

The fift, faire sun-shining weather, the wind at North-east and by North, we steered away West North-west, which was West halfe a point North. At noone we found our heighth to be 44 degrees 10 minutes, and sounded, and had no ground in one hundred fathoms. The after-noone proued calme

sometimes, and sometimes little wind, vntill nine of the clocke in the night. Then the wind came to the East, and we held on our course. At mid-night I obserued and found the height to bee 44 degrees 10 minutes, by the North Starre and the *Scorpions* heart. The Compasse varyed 13 degrees.

The sixth, the fore-part of the day faire weather, and a stiffe gale of wind, betweene South South-east, and South-west, wee steered West and by North, and West North-west. The after-part of the day from two of the clocke, was all foggie and thicke weather; the wind a hard gale, varying betweene South-west and by South, and West and by North, we made our way North-west halfe a point Northerly, nineteene leagues, vpon many points foure Watches. At night at eight of the clocke, we sounded and had no ground at one hundred fathoms.

The seuenth, faire sun-shining weather, the wind varying betweene West and by North, and West and by South. At foure of the clocke in the morning, we cast about to the Southward, and stood so till one in the after-noone. At noone we found our height to be 44 degrees 26 minutes. At seuen of the clocke, we tackt to the Northward. At eight at night, we tackt to the Southward, and sounded, and had nine and fiftie fathoms, white sand.

The eight, in the fore-noone faire weather, but the morning foggie till seuen of the clocke. At foure of the clocke in the morning we sounded, and had fiue and fortie fathoms, fine white sand, and we had runne fiue leagues South and by West. Then wee stood along one Glasse, and went one league as before. Then we stood one Glasse and sounded, and had sixtie fathoms. Then wee takt and stood backe to the Banke, and had fiue and twentie fathoms; and tryed for Fish, and it fell calme, and we caught one hundred and eighteene great Coddes, from eight a clocke till one, and after Dinner wee tooke twelue,

and saw many great Scoales of Herrings. Then wee had a gale of wind at South, and it shifted to the West North-west, and we stood three Glasses and sounded and had sixtie fathomes, and stood two Glasses, and had two and fortie fathoms, red stones and shells. So wee sounded euery Glasse and had seueral soundings 35. 33. 30, 31, 32, 33 and 34 fathoms.

The ninth, faire calme weather, we lay becalmed all day and caught some Fish, but not much, because we had small store of salt. At three of the clocke in the after-noone, wee had a gale at South-east, and South South-east, and we steered away Westerly, our Compasse was West and by South halfe a point South. At foure of the clocke, we sounded and had but fifteene, seuenteene, and nineteene fathoms on a fishing Banke; and we sounded euery Glasse. Then we could get no ground in fiue and twentie fathoms, and had sight of a sayle on head off vs. At noone our height was 44 degrees 27 minutes. We stood to the Westward all night, and spake with a *French*-man, which lay Fishing on the Banke of *Sablen*, in thirtie fathoms, and we saw two or three more.

The tenth, very mystie and thicke weather, the wind at South-west, a faire gale. We stood to the South-ward, and made our way South-east and by East. At twelue of the clocke we sounded, and had eight and fortie fathoms: againe at two we sounded, and had fiftie fathoms. And at sixe of the clocke we sounded: and had eight and fortie fathoms on the end of the Banke. Againe, at eight of the clocke at night wee sounded, and had no ground in eightie fathomes, and were ouer the Banke. So wee stood along till mid-night. The Compasse varyed 17 degrees to the Westward.

The eleuenth, very thicke and mystie weather. At twelue of the clocke at night, we cast about to the Westward, and stood so all day, and made our

way West North-west. We sounded at twelue of the clocke, but had no ground; so we stood to the Westward all the fore-part of the night, and sounded but could get no ground in fiftie or sixtie fathoms till mid-night. Then I sounded and had ground at fifteene fathoms, white sand.

The twelfth, was very foggie, we stood our course all the morning till eleuen of the clocke; at which time we had sight of the Land, which is low white sandie ground, right on head off vs; and had ten fathoms. Then we tackt to the Southward, and stood off foure Glasses: then we tackt to the Land againe, thinking to haue rode vnder it, and as we came neere it, the fog was so thicke that we could not see; so wee stood off againe. From mid-night to two of the clocke, we came sounding in twelue, thirteene, and foureteene fathoms off the shoare. At foure of the clocke, we had 20 fathoms. At eight of the clocke at night 30 fathoms. At twelue of the clocke 65 fathoms, and but little winde, for it deeped apace, but the neerer the shoare the fairer shoalding.

The thirteenth, faire sun-shining weather, from eight of the clocke in the fore-noone all day after, but in the morning it was foggie. Then at eight of the clocke we cast about for the shoare, but could not see it; the wind being at South by our true Compasse, wee steered VVest and by North. At noone we obserued, and found our height to bee 43 degrees 25 minutes; so we steered away VVest and by North all the after-noone. At foure of the clocke in the after-noone, we sounded and had fiue and thirtie fathoms. And at sixe of the clocke, wee had sight of the Land, and saw two sayles on head off vs. The land by the waters side is low Land, and white sandie Bankes rising full of little Hils. Our soundings were 35. 33. 30. 28. 32. 37. 33 and 32 fathoms.

The foureteenth, full of mysts flying and vading, the wind betweene South and South-west, we steered away West North-west, and North-west and by West. Our soundings were 29. 25. 24. 25. 22. 25. 27. 30. 28. 30. 35. 43. 50. 70. 90. 70. 64. 86. 100 fathoms, and no ground.

The fifteenth, very mystie, the winde varying betweene South and South-west, wee steered West and by North, and VVest North-west. In the morning we sounded, and had one hundred fathoms, till foure of the clocke in the after-noone. Then we sounded againe, and had seuentie fiue fathoms. Then in two Glasses running, which was not aboue two *English* miles, we sounded and had sixtie fathoms, and it shoalded a great pace vntill we came to twentie fathoms. Then we made account we were neere the Ilands that lie off the shoare. So we came to an Anchor, the Sea being very smooth and little wind, at nine of the clocke at night. After supper, we tryed for Fish, and I caught fifteene Cods, some the greatest that I haue seene, and so we rode all night.

The sixteenth, in the morning it cleered vp, and wee had sight of fiue Ilands lying North, and North and by VVest from vs, two leagues. Then wee made ready to set sayle, but the myst came so thicke that we durst not enter in among them.

The seuenteenth, was all mystie, so that wee could not get into the Harbour. At ten of the clocke two Boates came off to vs, with sixe of the *Sauages* of the Countrey, seeming glad of our comming. VVe gaue them trifles, and they eate and dranke with vs; and told vs, that there were Gold, Siluer, and Copper myneshard by vs; and that the *French*-men doe Trade with them; which is very likely, for one of them spake some words of *French*. So wee rode still all day and all night, the weather continuing mystie.

The eighteenth, faire weather, wee went into a very good Harbour, and rode hard by the shoare in

foure fathoms water. The Riuer runneth vp a great way, but there is but two fathoms hard by vs. VVe went on shoare and cut vs a fore Mast, then at noone we came aboord againe, and found the height of the place to bee in 44 degrees 1 minute; and the Sunne to fall at a South South-west Sunne. VVe mended our sayles, and fell to make our fore-Mast. The Harbour lyeth South and North, a mile in where we rode.

The nineteenth, we had faire sun-shining weather, we rode still. In the after-noone wee went with our Boate to looke for fresh water, and found some; and found a shoald with many Lobsters on it, and caught one and thirtie. The people comming aboord, shewed vs great friendship, but we could not trust them. The twentieth, faire sunne-shining weather, the winde at South-west. In the morning, our Scute went out to catch fresh Fish halfe an houre before day, and returned in two houres, bringing seuen and twentie great Coddes, with two hookes and lines. In the after-noone wee went for more Lobsters, and caught fortie, and returned aboord. Then wee espied two *French* Shallops full of the Countrey people come into the Harbour, but they offered vs no wrong, seeing we stood vpon our guard. They brought many Beauer skinnes, and other fine Furres, which they would haue changed for redde Gownes. For the *French* trade with them for red Cassockes, Kniues, Hatchets, Copper, Kettles, Treuits, Beades, and other trifles.

The one and twentieth, all mystie, the wind Easterly, wee rode still and did nothing, but about our Mast. The two and twentieth, faire Sun-shining weather, the winde all Northerly, we rode still all the day. In the after-noone our Scute went to catch more Lobsters, and brought with them nine and fiftie. The night was cleere weather.

The three and twentieth, faire sun-shining weather and very hot. At eleven of the clocke, our fore

Mast was finished, and we brought it aboord, and set it into the step, and in the after-noone we rigged it. This night we had some little myst and rayne.

The foure and twentieth, very hot weather, the winde at South out of the sea. The fore-part of the day wee brought to our sayles. In the morning, our Scute went to take Fish, and in two houres they brought with them twentie great Coddes, and a great Holibut, the night was faire also. We kept good watch for feare of being betrayed by the people, and perceiued where they layd their Shallops.

The fiue and twentieth, very faire weather and hot. In the morning wee manned our Scute with foure Muskets, and sixe men, and tooke one of their Shallops and brought it aboord. Then we manned our Boat and Scute with twelue men and Muskets, and two stone Pieces or Murderers, and draue the *Saluages* from their Houses, and tooke the spoyle of them, as they would haue done of vs. Then wee set sayle, and came downe to the Harbours mouth, and rode there all night, because the winde blew right in, and the night grew mystie with much rayne till mid-night. Then it fell calme, and the wind came off the Land at West North-west, and it began to cleere. The Compasse varyed 10 degrees North-west.

The sixe and twentieth, faire and cleere sunne-shining weather. At fiue of the clocke in the morning, the winde being off the shoare at North North-west we set sayle and came to sea, and by noone we counted our ship had gone fourteene leagues South-west. In the after-noone, the winde shifted variably betweene West South-west, and North-west. At noone, I found the height to bee 43 degrees 56 minutes. This Eeuening being very faire weather, wee obserued the variation of our Compasse at the Sunnes going downe, and found it to bee 10 degrees from the North to the VVestward.

The seuen and twentieth, faire sun-shining weather, the winde shifting betweene the South-west, and West and by North, a stiffe gale, we stood to the Southward all day, and made our way South and by West, seuen and twentie leagues. At noone, our height was 42 degrees 50 minutes. At foure of the clocke in the after-noone, wee cast about to the Northward. At eight of the clocke, we tooke in our top-sayles and our fore-bonnet, and went with a short sayle all night.

The eight and twentieth, very thicke and mystie, and a stiffe gale of wind, varying betweene South South-west, and South-west and by VVest; we made our way North-west and by VVest, seuen and twentie leagues, wee sounded many times and could get no ground. At fiue of the clocke, we cast about to the Southward, the wind at South-west and by VVest. At which time we sounded, and had ground at seuentie fiue fathoms. At eight, wee had sixtie fiue fathoms. At ten, sixtie. At twelve of the clocke at mid-night, fiftie sixe fathoms, gray sand.

The Compasse varyed 6 degrees the North point to the VVest.

The nine and twentieth, faire weather, we stood to the Southward, and made our way South and by VVest a point South, eighteene leagues. At noone, we found our height to bee 42 degrees 56 minutes, wee sounded oft, and had these 60. 64, 65. 67. 65. 65. 70 and 75 fathoms. At night, wee tryed the variation of our Compasse by the setting of the Sunne, and found that it went downe 37 degrees to the North-ward of the VVest, and should haue gone downe but 31 degrees. The Compasse varyed 5 and a halfe degrees.

The thirtieth, very hot, all the fore-part of the day calme, the wind at South South-east, wee steered away VVest South-west and sounded many times, and could find no ground at one hundred and seuentie fathomes. VVe found a great current and many

ouer-falls. Our current had deceiued vs. For at noone we found our height to be 41 degrees 34 minutes. And the current had heaued vs to the Southward foureteene leagues. At eight of the clocke at night, I sounded and had ground in fiftie two fathomes. In the end of the mid-night watch, wee had fiftie three fathomes. This last obseruation is not to be trusted.

The one and thirtieth, very thicke and mystie all day, vntill tenne of the clocke. At night the wind came to the South, and South-west and South. We made our way West North-west nineteene leagues. Wee sounded many times, and had difference of soundings, sometimes little stones, and sometimes grosse gray sand, fiftie sixe, fiftie foure, fortie eight, fortie seuen, fortie foure, fortie sixe, fiftie fathomes; and at eight of the clocke at night it fell calme, and we had fiftie fathomes. And at ten of the clocke we heard a great Rut, like the Rut of the shoare. Then I sounded and found the former Depth; and mistrusting a current, seeing it so still that the ship made no way, I let the lead lie on the ground, and found a tide set to the South-west, and South-west by West, so fast, that I could hardly vere the Line so fast, and presently came an hurling current, or tyde with ouerfals, which cast our ship round; and the Lead was so fast in the ground, that I feared the Lines breaking, and we had no more but that. At mid-night I sounded againe, and we had seuentie fiue fathomes; and the strong streame had left vs.

The first of August, all the fore-part of the day was mystie, and at noone it cleered vp. We found that our height was 41 degrees 45 minutes, and we had gone nineteene leagues. The after-noon was reasonable cleere. We found a rustling tide or current, with many ouer-fals to continue still, and our water to change colour, and our sea to bee very deepe, for wee found no ground in one hundred fathomes. The night was cleere, and the winde came

to the North, and North North-east, we steered West.

The second, very faire weather and hot: from the morning till noone we had a gale of wind, but in the after-noone little wind. At noone I sounded and had one hundred and ten fathomes; and our height was 41 degrees 56 minutes. And wee had runne foure and twentie leagues and an halfe. At the Sun-setting we obserued the variation of the Compasse, and found that it was come to his true place. At eight of the clocke the gale increased, so wee ranne sixe leagues that watch, and had a very faire and cleere night.

The third, very hot weather. In the morning, we had sight of the Land, and steered in with it, thinking to goe to the North-ward of it. So we sent our shallop with fiue men, to sound in by the shore: and they found it deepe fiue fathomes within a Bow-shot of the shoare; and they went on Land, and found goodly Grapes, and Rose trees, and brought them aboord with them, at fiue of the clocke in the Eeuening. We had seuen and twentie fathomes within two miles of the shoare; and we found a floud come from the South-east, and an ebbe from the North-west, with a very strong streame, and a great hurling and noyses. At eight of the clocke at night, the wind began to blow a fresh gale, and continued all night but variable. Our sounding that wee had to the Land, was one hundred, eightie, seuentie foure, fiftie two, fortie sixe, twentie nine, twentie seuen, twentie foure, nineteene, seuenteene, sometimes Oze, and sometimes gray sand.

The fourth, was very hot: we stood to the North-west two watches, and one South in for the Land, and came to an Anchor at the Norther end of the Headland, and heard the voyce of men call. Then we sent our Boat on shoare, thinking they had beene some *Christians* left on the Land: but wee found

them to bee Sauages, which seemed very glad of our comming. So wee brought one aboord with vs, and gaue him meate, and he did eate and drinke with vs. Our Master gaue him three or foure glasse Buttons, and sent him on Land with our shallop againe. And at our Boats comming from the shoare he leapt and danced, and held vp his hands, and pointed vs to a riuer on the other side: for we had made signes that we came to fish there. The bodie of this Headland lyeth in 41 degrees 45 minutes. We set sayle againe after dinner, thinking to haue got to the Westward of this Headland, but could not; so we beare vp to the Southward of it, and made a South-east way; and the Souther point did beare West at eight of the clocke at night. Our soundings about the Easter and Norther part of this Headland, a league from the shoare are these: at the Easterside thirtie, twentie seuen, twentie seuen, twentie foure, twentie fiue, twentie. The North-east point 17 degrees 18 minutes, and so deeper. The North-end of this Headland, hard by the shoare thirtie fathomes: and three leagues off North North-west, one hundred fathomes. At the South-east part a league off, fifteene, sixteene, and seuenteene fathomes. The people haue greene Tobacco, and pipes, the boles whereof are made of Earth, and the pipes of red Coppér. The Land is very sweet.

The fift, all mystie. At eight of the clocke in the morning, wee tact about to the Westward, and stood in till foure of the clocke in the after-noone; at which time it cleered, and wee had sight of the Head-land againe fiue leagues from vs. The Souther point of it did beare West off vs: and we sounded many times, and had no ground. And at foure of the clocke we cast about, and at our staying wee had seuentie fathomes. Wee steered away South and South by East all night, and could get no ground at seuentie and eightie fathomes. For wee feared a

great Riffe, that lyeth off the Land, and steered away South and by East.

The sixth, faire weather, but many times mysting. Wee steered away South South-east, till eight of the clocke in the morning; Then it cleered a little, and wee cast about to the Westward. Then we sounded and had thirtie fathomes, grosse sand, and were come to the Riffe. Then wee kept our Lead, and had quicke shoalding, from thirtie, twentie nine, twentie seuen, twentie foure, twentie two, twentie and an halfe, twentie, twentie, nineteene, nineteene, nineteene, eighteene, eighteene, seuenteene; and so deeping againe as proportionally as it shoalded. For we steered South and South-east till we came to twentie sixe fathomes. Then we steered South-west for so the tyde doth set. By and by it being calme we tryed by our Lead; for you shall haue sixteene or seuenteene fathomes, and the next cast but seuen or six fathomes. And farther to the Westward you shall haue foure and fiue foot water, and see Rockes vnder you, and you shall see the Land in the top. Vpon this Riffe we had an obseruation, and found that it lyeth in 40 degrees 10 minutes. And this is that Headland which Captaine *Bartholomew Gosnold* discouered in the yeere 1602, and called Cape *Cod;* because of the store of Cod-fish that hee found thereabout. So we steered South-west three leagues, and had twentie, and twentie foure fathomes. Then we steered West two Glasses halfe a league, and came to fifteene fathomes. Then we steered off South-east foure Glasses, but could not get deepe water; for there the tyde of ebbe laid vs on; and the streame did hurle so, that it laid vs so neere the breach of a shoald, that wee were forced to Anchor. So at seuen of the clocke at night, wee were at an Anchor in tenne fathomes: And, I giue God most heartie thankes, the least water wee had was seuen fathomes and an halfe. We rode still all night, and at a still water I sounded so farre round about our ship as we

could see a light; and had no lesse then eight, nine, ten, and eleuen fathomes: The myst continued being very thicke.

The seuenth, faire weather and hot, but mystie. Wee rode still hoping it would cleere, but on the floud it fell calme and thicke. So we rode still all day and all night. The floud commeth from the South-west, and riseth not aboue one fathome and an halfe in nepe streames. Toward night it cleered, and I went with our shallop and sounded, and found no lesse water then eight fathomes to the South-east off vs; but we saw to the North-west off vs great Breaches.

The eight, faire and cleere weather. In the morning, by sixe of the clocke at slake water wee weighed; the wind at North-east, and set our fore-sayle and mayne top-sayle, and got a mile ouer the Flats. Then the tyde of ebbe came, so we anchored againe till the floud came. Then wee set sayle againe, and by the great mercie of God, wee got cleere off them by one of the clocke this afternoone. And wee had sight of the Land from the West North-west, to the North North-west. So we steered away South South-east all night; and had ground vntill the middle of the third watch. Then we had fortie fiue fathomes, white sand, and little stones. So all our soundings are twentie, twentie two, twentie seuen, thirtie two, fortie three, fortie three, fortie fiue. Then no ground in seuentie fathomes.

The ninth, very faire and hot weather, the wind a very stiffe gale. In the morning, at foure of the clocke, our shallop came running vp against our sterne, and split in all her stemme; So we were faine to cut her away. Then wee tooke in our mayne sayle, and lay atrie vnder our fore-sayle vntill twelue of the clocke at mid-day. Then the wind ceased to a faire gale, so wee stood away South-west. Then we lay close by, on many courses a South by West way fifteene leagues; and three watches South-

east by East, ten leagues. At eight of the clocke at night, wee tooke in our top-sayles, and went with a low sayle; because we were in an vnknowne sea. At noone we obserued and found our heigth to be 38 degrees 39 minutes.

The tenth, in the morning some raine and cloudie weather: the winde at South-west, wee made our way South-east by East, ten leagues. At noone, wee obserued and found our heigth to bee 38 degrees 39 minutes. Then wee tackt about to the West-ward, the wind being at South and by East, little wind. At foure of the clocke it fell calme, and we had two Dolphines about our ship, and many small fishes. At eight of the clocke at night, wee had a small lingring gale. All night we had a great Sea out of the South-west, and another great Sea out of the North-east.

The eleuenth, all the fore-part of the day faire weather, and very hot. VVee stood to the VVest South-west till noone. Then the wind shorted, and we could lye but South-west and by South. At noone, wee found our heigth to bee 39 degrees 11 minutes. And that the current had laid vs to the Northward thirtie two minutes contrary to our expectation. At foure of the clocke in the after-noone there came a myst, which endured two houres. But wee had it faire and cleere all night after. The Compasse varied the North point to the VVest one whole point.

The twelfth, faire weather, the wind variable betweene the South-west and by South, and the North little wind. In the morning we killed an extraordinary fish, and stood to the Westward all day and all night. At noone we found our heigth to be 38 degrees 13 minutes. And the obseruation the day before was not good. This noone, we found the Compasse to vary from the North to the West ten degrees.

The thirteenth, faire weather and hot: the wind at North-east. Wee steered away West and by our

Compasse two and twentie leagues. At noone wee found our height to bee 37 degrees 45 minutes, and that our way from noone to noone was West South-west, halfe a point Southerly. The Compasse was 7 degrees and a halfe variation, from the North point to the West.

The fourteenth, faire weather, but cloudie, and a stiffe gale of wind, variable betweene North-east and South-west, wee steered away West by South, a point South all day vntill nine of the clocke at night; then it began to Thunder and Lighten, whereupon we tooke in all our sayles, and layd it a hull, and hulled away North till mid-night, a league and a halfe.

The fifteenth, very faire and hot weather, the winde at North by East. At foure of the clocke in the morning we set sayle, and stood on our course to the Westward. At noone wee found our height to bee 37 degrees 25 minutes. The after-noone proued little wind. At eight of the clocke at night, the winde came to the North, and wee steered West by North, and West North-west, and made our way West. The Compasse varyed 7 degrees from the North to the West.

The sixteenth, faire shining weather, and very hot, the wind variable betweene the North and the West, wee steered away West by North. At noone wee found our height to bee 37 degrees 6 minutes. This morning we sounded and had ground in ninetie fathomes, and in sixe Glasses running it shoalded to fiftie fathoms, and so to eight and twentie fathoms, at foure of the clocke in the after-noone. Then wee came to an Anchor, and rode till eight of the clocke at night, the wind being at South and Moone-light, we resolued to goe to the Northward to finde deeper water. So we weighed and stood to the Northward, and found the water to shoald and deepe, from eight and twentie to twentie fathomes.

The seuenteenth, faire and cleere Sun-shining weather, the winde at South by West, wee steered to the Northward till foure of the clocke in the morning, then wee came to eighteene fathomes. So we Anchored vntill the Sunne arose to looke abroad for Land, for wee iudged there could not but be Land neere vs, but we could see none. Then we weighed and stood to the Westward till noone. And at eleuen of the clocke wee had sight of a low Land, with a white sandie shoare. By twelue of the clocke we were come into fiue fathomes, and Anchored; and the Land was foure leagues from vs, and wee had sight of it from the West, to the North-west by North. Our height was 37 degrees 26 minutes. Then the wind blew so stiffe a gale, and such a Sea went, that we could not weigh; so we rode there all night an hard rode.

The eighteenth, in the morning faire weather, and little winde at North North-east and North-east. At foure of the clocke in the morning, we weighed and stood into the shoare to see the deeping or shoalding of it, and finding it too deepe, wee stood in to get a rode; for wee saw as it were three Ilands. So wee turned to windward to get into a Bay, as it shewed to vs to the westward of an Iland. For the three Ilands did beare North off vs. But toward noone the wind blew Northerly, with gusts of wind and rayne. So wee stood off into the Sea againe all night; and running off we found a Channell, wherein we had no lesse then eight, nine, ten, eleuen, and twelue fathomes water. For in comming ouer the Barre, wee had fiue, and foure fathomes and a halfe, and it lyeth fiue leagues from the shoare, and it is the Barre of *Virginia*. At the North end of it, it is ten leagues broad, and South and North, but deepe water from ninetie fathoms to fiue, and foure and a halfe. The Land lyeth South and North. This is the entrance into the *Kings* Riuer in *Virginia*, where our *Englishmen* are. The North side of it lyeth in 37 degrees

26 minutes, you shall know when you come to shoald water or sounding; for the water will looke Greene or thicke, you shall haue ninetie and eightie fathomes, and shoalding a pace till you come to ten, eleuen, nine, eight, seuen, ten, and nine fathomes, and so to fiue, and foure fathomes and a halfe.

The nineteenth, faire weather, but an hard gale of winde at the North-east, wee stood off till noone, and made our way South-east by East, two and twentie leagues. At noone wee cast about to the Westward, and stood till sixe of the clocke in the after-noone, and went fiue leagues and a halfe North-west by North. Then wee cast about againe to the Eastward, and stood that way till foure the next morning.

The twentieth, faire and cleere weather, the winde variable betweene East North-east, and North-east. At foure of the clocke in the morning, wee cast about to the Westward, and stood till noone; at which time I sounded; and had two and thirtie fathomes. Then we takt to the Eastward againe; wee found our height to bee 37 degrees 22 minutes. We stood to the Eastward all night, and had very much wind. At eight of the clocke at night we tooke off our Bonnets, and stood with small sayle.

The one and twentieth, was a sore storme of winde and rayne all day and all night, wherefore wee stood to the Eastward with a small sayle; till one of the clocke in the after-noone. Then a great Sea brake into our fore-corse and split it; so we were forced to take it from the yard and mend it; wee lay a trie with our mayne-corse all night. This night our Cat ranne crying from one side of the ship to the other, looking ouer-boord, which made vs to wonder; but we saw nothing.

The two and twentieth, stormy weather, with gusts of rayne and wind. In the morning at eight of the clocke we set our fore-corse, and stood to the Eastward vnder our fore-sayle, mayne-sayle and misen, and from noone to noone, we made our way East

South-east, fourteene leagues. The night reasonable drie but cloudie, the winde variable all day and night. Our Compassé was varyed 4 degrees Westward.

The three and twentieth, very faire weather, but some Thunder in the morning, the winde variable betweene East by North. At noone wee tackt about to the Northward, the winde at East by North. The after-noone very faire, the wind variable, and continued so all night. Our way we made East South-east, till noone the next day.

The foure and twentieth, faire and hot weather, with the wind variable betweene the North and the East. The after-noone variable winde. But at foure of the clocke, the wind came to the East and South-east; so wee steered away North by West, and in three Watches wee went thirteene leagues. At noone our height was 35 degrees 41 minutes, being farre off at Sea from the Land.

The fiue and twentieth, faire weather and very hot. All the morning was very calme vntill eleuen of the clocke; the wind came to South-east, and South South-east; so wee steered away North-west by North, two Watches and a halfe, and one Watch North-west by West, and went eighteene leagues. At noone I found our height to bee 36 degrees 20 minutes, being without sight of Land.

The sixe and twentieth, faire and hot weather, the winde variable vpon all the points of the Compasse. From two of the clocke in the morning vntill noone, wee made our way North by East, seuen leagues. In the after-noone the wind came to the North-east, and vering to the East South-east, wee steered away North-west fifteene leagues, from noone till ten of the clocke at night. At eight of the clocke at night wee sounded, and had eighteene fathomes, and were come to the Banke of *Virginia*, and could not see the Land. Wee kept sounding, and steered away North, and

came to eight fathomes, and Anchored there; for the wind was at East South-east, so that wee could not get off. For the Coast lyeth along South South-west, and North North-east. At noone our height was 37 degrees 15 minutes. And wee found that we were returned to the same place, from whence we were put off at our first seeing Land.

The seuen and twentieth, faire weather and very hot, the winde at East South-east. In the morning as soone as the Sunne was vp, wee looked out and had sight of the Land. Then wee weighed, and stood in North-west two Glasses, and found the Land to bee the place from whence wee put off first. So wee kept our loofe, and steered along the Land, and had the Banke lye all along the shoare; and wee had in two leagues off the shoare, fiue, sixe, seuen, eight, nine, and ten fathomes. The Coast lyeth South South-west, and is a white Sandie shoare, and sheweth full of Bayes and Points. The streame setteth West South-west, and East North-east. At sixe of the clocke at night, wee were thwart of an Harbour or Riuer, but we saw a Barre lye before it; and all within the Land to the Northward, the water ranne with many Ilands in it. At sixe of the clocke we Anchored, and sent our Boate to sound to the shoare-ward, and found no lesse then foure and a halfe, fiue, sixe, and seuen fathomes.

The eight and twentieth, faire and hot weather, the winde at South South-west. In the morning at sixe of the clocke wee weighed, and steered away North twelue leagues till noone, and came to the Point of the Land; and being hard by the Land in fiue fathomes, on a sudden wee came into three fathomes; then we beare vp and had but ten foote water, and ioyned to the Point. Then as soone as wee were ouer, wee had fiue, sixe, seuen, eight, nine, ten, twelue and thirteene fathomes. Then wee found the Land to trend away North-west, with a great Bay and Riuers. But the Bay wee found shoald; and in the

offing wee had ten fathomes, and had sight of Breaches and drie Sand. Then wee were forced to stand backe againe; so we stood backe South-east by South, three leagues. And at seuen of the clocke wee Anchored in eight fathomes water; and found a Tide set to the North-west, and North North-west, and it riseth one fathome, and floweth South South-east. And he that will throughly Discouer this great Bay, must haue a small Pinnasse, that must draw but foure or fiue foote water, to sound before him. At fiue in the morning wee weighed, and steered away to the Eastward on many courses, for the Norther Land is full of shoalds. Wee were among them, and once wee strooke, and wee went away; and steered away to the South-east. So wee had two, three, foure, fiue, sixe, and seuen fathomes, and so deeper and deeper.

The nine and twentieth, faire weather, with some Thunder and showers, the winde shifting betweene the South South-west, and the North North-west. In the morning wee weighed at the breake of day, and stood toward the Norther Land, which we found to bee all Ilands to our sight, and great stormes from them, and are shoald three leagues off. For we comming by them, had but seuen, sixe, fiue, foure, three, and two fathoms and a halfe, and strooke ground with our Rudder, we steered off South-west one Glasse, and had fiue fathoms. Then wee steered South-east three Glasses, then wee found seuen fathomes, and steered North-east by East, foure leagues, and came to twelue and thirteene fathoms. At one of the clocke, I went to the top-mast head, and set the Land, and the bodie of the Ilands did beare North-west by North. And at foure of the clocke, wee had gone foure leagues East South-east, and North-east by East, and found but seuen fathoms, and it was calme, so we Anchored. Then I went againe to the top-mast head, to see how farre I could see Land about vs, and could see no more but the

Ilands. And the Souther point of them did beare North-west by West, eight leagues off. So wee rode till mid-night. Then the winde came to the North North-west, so wee waighed and set sayle.

The thirtieth, in the morning betweene twelue and one, we weighed, and stood to the Eastward, the winde at North North-west, wee steered away and made our way East South-east. From our weighing till noone, eleuen leagues. Our soundings were eight, nine, ten, eleuen, twelue and thirteene fathomes till day. Then we came to eighteene, nineteene, twentie, and to sixe and twentie fathoms by noone. Then I obserued the Sunne, and found the height to bee 39 degrees 5 minutes, and saw no Land. In the after-noone, the winde came to North by West; So wee lay close by with our fore-sayle: and our mayne-sayle, and it was little winde vntill twelue of the clocke at mid-night, then wee had a gale a little while. Then I sounded, and all the night our soundings were thirtie, and sixe and thirtie fathomes, and wee went little.

The one and thirtieth, faire weather and little wind. At sixe of the clocke in the morning we cast about to the Northward, the wind being at the North-east, little wind. At noone it fell calme, and I found the height to bee 38 degrees 39 minutes. And the streames had deceiued vs, and our sounding was eight and thirtie fathoms. In the afternoone I sounded againe, and had but thirtie fathomes. So we found that we were heaued too and fro with the streames of the Tide, both by our obseruations and our depths. From noone till foure of the clocke in the after-noone, it was calme. At sixe of the clocke, wee had a little gale Southerly, and it continued all night, sometimes calme, and sometimes a gale; wee went eight leagues from noone to noone, North by East.

The first of September, faire weather, the wind variable beweene East and South, we steered away

North North-west. At noone we found our height to bee 39 degrees 3 minutes. Wee had soundings thirtie, twentie seuen, twentie foure, and twentie two fathomes, as wee went to the Northward. At sixe of the clocke wee had one and twentie fathomes. And all the third watch till twelue of the clocke at mid-night, we had soundings one and twentie, two and twentie, eighteene, two and twentie, one and twentie, eighteene, and two and twentie fathoms, and went sixe leagues neere hand North North-west.

The second, in the morning close weather, the winde at South in the morning; from twelue vntill two of the clocke we steered North North-west, and had sounding one and twentie fathoms, and in running one Glasse we had but sixteene fathoms, then seuenteene, and so shoalder and shoalder vntill it came to twelue fathoms. We saw a great Fire, but could not see the Land, then we came to ten fathoms, whereupon we brought our tackes aboord, and stood to the Eastward East South-east, foure Glasses. Then the Sunne arose, and we steered away North againe, and saw the Land from the West by North, to the North-west by North, all like broken Ilands, and our soundings were eleuen and ten fathoms. Then wee looft in for the shoare, and faire by the shoare, we had seuen fathoms. The course along the Land we found to be North-east by North. From the Land which we had first sight of, vntill we came to a great Lake of water, as wee could iudge it to bee, being drowned Land, which made it to rise like Ilands, which was in length ten leagues. The mouth of that Lake hath many shoalds, and the Sea breaketh on them as it is cast out of the mouth of it. And from that Lake or Bay, the Land lyeth North by East, and wee had a great streame out of the Bay; and from thence our sounding was ten fathoms, two leagues from the Land. At fiue of the clocke we Anchored, being little winde, and rode in eight

fathoms water, the night was faire. This night I found the Land to hall the Compasse 8 degrees. For to the Northward off vs we saw high Hils. For the day before we found not aboue 2 degrees of Variation. This is a very good Land to fall with, and a pleasant Land to see.

The third, the morning mystie vntill ten of the clocke, then it cleered, and the wind came to the South South-east, so wee weighed and stood to the Northward. The Land is very pleasant and high, and bold to fall withall. At three of the clocke in the after-noone, wee came to three great Riuers. So we stood along to the Northermost, thinking to haue gone into it, but we found it to haue a uery shoald barre before it, for we had but ten foot water. Then wee cast about to the Southward, and found two fathoms, three fathoms, and three and a quarter, till we came to the Souther side of them, then we had fiue and sixe fathoms, and Anchored. So wee sent in our Boate to sound, and they found no lesse water then foure, fiue, sixe, and seuen fathoms, and returned in an houre and a halfe. So wee weighed and went in, and rode in fiue fathoms, Oze ground, and saw many Salmons, and Mullets, and Rayes very great. The height is 40 degrees 30 minutes.

The fourth, in the morning as soone as the day was light, wee saw that it was good riding farther vp. So we sent our Boate to sound, and found that it was a very good Harbour; and foure and fiue fathomes, two Cables length from the shoare. Then we weighed and went in with our ship. Then our Boate went on Land with our Net to Fish, and caught ten great Mullets, of a foote and a halfe long a peece, and a Ray as great as foure men could hale into the ship. So wee trimmed our Boate and rode still all day. At night the wind blew hard at the North-west, and our Anchor came home, and wee droue on shoare, but tooke no hurt, thanked bee God, for the ground is soft sand and Oze. This

day the people of the Country came aboord of vs, seeming very glad of our comming, and brought greene Tabacco, and gaue vs of it for Kniues and Beads. They goe in Deere skins loose, well dressed. They haue yellow Copper. They desire Cloathes, and are very ciuill. They haue great store of Maiz or *Indian* Wheate, whereof they make good Bread. The Countrey is full of great and tall Oakes.

The fifth, in the morning as soone as the day was light, the wind ceased and the Flood came. So we heaued off our ship againe into fiue fathoms water, and sent our Boate to sound the Bay, and we found that there was three fathoms hard by the Souther shoare. Our men went on Land there, and saw great store of Men, Women and Children, who gaue them Tabacco at their comming on Land. So they went vp into the Woods, and saw great store of very goodly Oakes, and some Currants. For one of them came aboord and brought some dryed, and gaue me some, which were sweet and good. This day many of the people came aboord, some in Mantles of Feathers, and some in Skinnes of diuers sorts of good Furres. Some women also came to vs with Hempe. They had red Copper Tabacco pipes, and other things of Copper they did weare about their neckes. At night they went on Land againe, so wee rode very quiet, but durst not trust them.

The sixth, in the morning was faire weather, and our Master sent *Iohn Colman*, with foure other men in our Boate ouer to the North-side, to sound the other Riuer, being foure leagues from vs. They found by the way shoald water two fathoms; but at the North of the Riuer eighteen, and twentie fathoms, and very good riding for Ships; and a narrow Riuer to the Westward betweene two Ilands. The Lands they told vs were as pleasant with Grasse and Flowers, and goodly Trees, as euer they had seene, and very sweet smells came from them. So they went in two leagues and saw an open Sea, and return-

ed; and as they came backe, they were set vpon by two Canoes, the one hauing twelue, the other fourteene men. The night came on, and it began to rayne, so that their Match went out; and they had one man slaine in the fight, which was an *English*-man, named *Iohn Colman*, with an Arrow shot into his throat, and two more hurt. It grew so darke that they could not find the ship that night, but labored too and fro on their Oares. They had so great a streame, that their grapnell would not hold them.

The seuenth, was faire, and by ten of the clocke they returned aboord the ship, and brought our dead man with them, whom we carried on Land and buryed, and named the point after his name, *Colmans* Point. Then we hoysed in our Boate, and raised her side with waste boords for defence of our men. So we rode still all night, hauing good regard to our Watch.

The eight, was very faire weather, wee rode still very quietly. The people came aboord vs, and brought Tabacco and *Indian* Wheat, to exchange for Kniues and Beades, and offered vs no violence. So we fitting vp our Boate did marke them, to see if they would make any shew of the Death of our man; which they did not.

The ninth, faire weather. In the morning, two great Canoes came aboord full of men; the one with their Bowes and Arrowes, and the other in shew of buying of Kniues to betray vs; but we perceiued their intent. Wee tooke two of them to haue kept them, and put red Coates on them, and would not suffer the other to come neere vs. So they went on Land, and two other came aboord in a Canoe: we tooke the one and let the other goe; but hee which wee had taken, got vp and leapt ouer-boord. Then we weighed and went off into the channell of the Riuer, and Anchored there all night.

The tenth, faire weather, we rode still till twelue of the clocke. Then we weighed and went ouer, and

found it shoald all the middle of the Riuer, for wee could finde but two fathoms and a halfe, and three fathomes for the space of a league; then wee came to three fathomes, and foure fathomes, and so to seuen fathomes, and Anchored, and rode all night in soft Ozie ground. The banke is Sand.

The eleuenth, was faire and very hot weather. At one of the clocke in the after-noone, wee weighed and went into the Riuer, the wind at South South-west, little winde. Our soundings were seuen, sixe, fiue, sixe, seuen, eight, nine, ten, twelue, thirteene, and fourteene fathomes. Then it shoalded againe, and came to fiue fathomes. Then wee Anchored, and saw that it was a very good Harbour for all windes, and rode all night. The people of the Countrey came aboord of vs, making shew of loue, and gaue vs Tabacco and *Indian* Wheat, and departed for that night; but we durst not trust them.

The twelfth, very faire and hot. In the after-noone at two of the clocke wee weighed, the winde being variable, betweene the North and the North-west. So we turned into the Riuer two leagues and Anchored. This morning at our first rode in the Riuer, there came eight and twentie Canoes full of men, women and children to betray vs: but we saw their intent, and suffered none of them to come aboord of vs. At twelue of the clocke they departed. They brought with them Oysters and Beanes, whereof wee bought some. They haue great Tabacco pipes of yellow Copper, and Pots of Earth to dresse their meate in. It floweth South-east by South within.

The thirteenth, faire weather, the wind Northerly. At seuen of the clocke in the morning, as the floud came we weighed, and turned foure miles into the Riuer. The tide being done wee anchored. Then there came foure Canoes aboord: but we suffered none of them to come into our ship. They brought

great store of very good Oysters aboord, which we bought for trifles. In the night I set the variation of the Compasse, and found it to be 13 degrees. In the after-noone we weighed, and turned in with the floud, two leagues and a halfe further, and anchored all night, and had fiue fathoms soft Ozie ground, and had an high point of Land, which shewed out to vs, bearing North by East fiue leagues off vs.

The fourteenth, in the morning being very faire weather, the wind South-east, we sayld vp the Riuer twelue leagues, and had fiue fathoms, and fiue fathoms and a quarter lesse; and came to a Streight betweene two Points, and had eight, nine, and ten fathoms: and it trended North-east by North, one league: and wee had twelue, thirteene and fourteene fathomes. The Riuer is a mile broad: there is very high Land on both sides. Then wee went vp North-west, a league and an halfe deepe water. Then North-east by North fiue miles; then North-west by North two leagues, and anchored. The Land grew very high and Mountainous. The Riuer is full of fish.

The fifteenth, in the morning was misty vntill the Sunne arose: then it cleered. So wee weighed with the wind at South, and ran vp into the Riuer twentie leagues, passing by high Mountaines. Wee had a very good depth, as sixe, seuen, eight, nine, ten, twelue, and thirteene fathoms, and great store of Salmons in the Riuer. This morning our two Sauages got out of a Port and swam away. After we were vnder sayle, they called to vs in scorne. At night we came to other Mountaines, which lie from the Riuers side. There wee found very louing people, and very old men: where wee were well vsed. Our Boat went to fish, and caught great store of very good fish.

The sixteenth, faire and very hot weather. In the morning our Boat went againe to fishing, but could catch but few, by reason their Canoes had beene there all night. This morning the people came

aboord, and brought vs eares of *Indian* Corne, and Pompions, and Tabacco: which wee bought for trifles. Wee rode still all day, and filled fresh water; at night wee weighed and went two leagues higher, and had shoald water: so wee anchored till day.

The seuenteenth, faire Sun-shining weather, and very hot. In the morning as soone as the Sun was vp, we set sayle, and ran vp sixe leagues higher, and found shoalds in the middle of the channell, and small Ilands, but seuen fathoms water on both sides. Toward night we borrowed so neere the shoare, that we grounded: so we layed out our small anchor, and heaued off againe. Then we borrowed on the banke in the channell, and came aground againe; while the floud ran we heaued off againe, and anchored all night.

The eighteenth, in the morning was faire weather, and we rode still. In the after-noone our Masters Mate went on land with an old Sauage, a Gouernor of the Countrey; who carried him to his house, and made him good cheere. The nineteenth, was faire and hot weather: at the floud being neere eleuen of the clocke, wee weighed, and ran higher vp two leagues aboue the Shoalds, and had no lesse water then fiue fathoms: wee anchored, and rode in eight fathomes. The people of the Countrie came flocking aboord, and brought vs Grapes, and Pompions, which wee bought for trifles. And many brought vs Beuers skinnes, and Otters skinnes, which wee bought for Beades, Kniues, and Hatchets. So we rode there all night.

The twentieth, in the morning was faire weather. Our Masters Mate with foure men more went vp with our Boat to sound the Riuer, and found two leagues aboue vs but two fathomes water, and the channell very narrow; and aboue that place seuen or eight fathomes. Toward night they returned: and we rode still all night. The one and twentieth, was faire weather, and the wind all Southerly: we determined

yet once more to go farther vp into the Riuer, to trie what depth and breadth it did beare; but much people resorted aboord, so wee went not this day. Our Carpenter went on land, and made a Fore-yard. And our Master and his Mate determined to trie some of the chiefe men of the Countrey, whether they had any treacherie in them. So they tooke them downe into the Cabbin, and gaue them so much Wine and *Aqua vitæ*, that they were all merrie: and one of them had his wife with him, which sate so modestly, as any of our Countrey women would doe in a strange place. In the end one of them was drunke, which had beene aboord of our ship all the time that we had beene there: and that was strange to them; for they could not tell how to take it. The Canoes and folke went all on shoare: but some of them came againe, and brought stropes of Beades: some had sixe, seuen, eight, nine, ten; and gaue him. So he slept all night quietly.

The two and twentieth, was faire weather: in the morning our Masters Mate and foure more of the companie went vp with our Boat to sound the Riuer higher vp. The people of the Countrey came not aboord till noone: but when they came, and saw the Sauages well, they were glad. So at three of the clocke in the after-noone they came aboord, and brought Tabacco, and more Beades, and gaue them to our Master, and made an Oration, and shewed him all the Countrey round about. Then they sent one of their companie on land, who presently returned, and brought a great Platter full of Venison, dressed by themselues; and they caused him to eate with them: then they made him reuerence, and departed all saue the old man that lay aboord. This night at ten of the clocke, our Boate returned in a showre of raine from sounding of the Riuer; and found it to bee at an end for shipping to goe in. For they had beene vp eight or nine leagues, and found but seuen foot water, and vnconstant soundings.

The three and twentieth, faire weather. At twelue of the clocke wee weighed, and went downe two leagues to a shoald that had two channels, one on the one side, and another on the other, and had little wind, whereby the tide layed vs vpon it. So, there wee sate on ground the space of an houre till the floud came. Then wee had a little gale of wind at the West. So wee got our ship into deepe water, and rode all night very well.

The foure and twentieth was faire weather: the winde at the North-west, wee weighed, and went downe the Riuer seuen or eight leagues; and at halfe ebbe wee came on ground on a banke of Oze in the middle of the Riuer, and sate there till the floud. Then wee went on Land, and gathered good store of Chest-nuts. At ten of the clocke wee came off into deepe water, and anchored.

The fiue and twentieth was faire weather, and the wind at South a stiffe gale. We rode still, and went on Land to walke on the West side of the Riuer, and found good ground for Corne, and other Garden herbs, with great store of goodly Oakes, and Wal-nut trees, and Chest-nut trees, Ewe trees, and trees of sweet wood in great abundance, and great store of Slate for houses, and other good stones.

The sixe and twentieth was faire weather, and the wind at South a stiffe gale, wee rode still. In the morning our Carpenter went on Land with our Masters Mate, and foure more of our companie to cut wood. This morning, two Canoes came vp the Riuer from the place where we first found louing people, and in one of them was the old man that had lyen aboord of vs at the other place. He brought another old man with him, which brought more stropes of Beades, and gaue them to our Master, and shewed him all the Countrey there about, as though it were at his command. So he made the two old men dine with him, and the old mans wife: for they brought two old women, and two young maidens of

the age of sixteene or seuenteene yeeres with them, who behaued themselues very modestly. Our Master gaue one of the old men a Knife, and they gaue him and vs Tabacco. And at one of the clocke they departed down the Riuer, making signes that wee should come down to them; for wee were within two leagues of the place where they dwelt.

The seuen and twentieth, in the morning was faire weather, but much wind at the North, we weighed and set our fore top-sayle, and our ship would not flat, but ran on the Ozie banke at halfe ebbe. Wee layed out anchor to heaue her off, but could not. So wee sate from halfe ebbe to halfe floud: then wee set our fore-sayle and mayne top-sayle, and got downe sixe leagues. The old man came aboord, and would haue had vs anchor, and goe on Land to eate with him: but the wind being faire, we would not yeeld to his request; So hee left vs, being very sorrowfull for our departure. At fiue of the clocke in the afternoone, the wind came to the South South-west. So wee made a boord or two, and anchored in fourteene fathomes water. Then our Boat went on shoare to fish right against the ship. Our Masters Mate and Boat-swaine, and three more of the companie went on land to fish, but could not finde a good place. They tooke foure or fiue and twentie Mullets, Breames, Bases, and Barbils; and returned in an houre. We rode still all night.

The eight and twentieth, being faire weather, as soone as the day was light, wee weighed at halfe ebbe, and turned downe two leagues belowe water; for, the streame doth runne the last quarter ebbe: then we anchored till high water. At three of the clocke in the after-noone we weighed, and turned downe three leagues, vntill it was darke: then wee anchored.

The nine and twentieth was drie close weather: the wind at South, and South and by West, we weighed early in the morning, and turned downe

three leagues by a lowe water, and anchored at the lower end of the long Reach; for it is sixe leagues long. Then there came certaine *Indians* in a Canoe to vs, but would not come aboord. After dinner there came the Canoe with other men, whereof three came aboord vs. They brought *Indian* Wheat, which wee bought for trifles. At three of the clocke in the after-noone wee weighed, as soone as the ebbe came, and turned downe to the edge of the Mountaines, or the Northermost of the Mountaines, and anchored: because the high Land hath many Points, and a narrow channell, and hath many eddie winds. So we rode quietly all night in seuen fathoms water.

The thirtieth was faire weather, and the wind at South-east a stiffe gale betweene the Mountaynes. We rode still the after-noone. The people of the Countrey came aboord vs, and brought some small skinnes with them, which we bought for Kniues and Trifles. This a very pleasant place to build a Towne on. The Road is very neere, and very good for all winds, saue an East North-east wind. The Mountaynes looke as if some Metall or Minerall were in them. For the Trees that grow on them were all blasted, and some of them barren with few or no Trees on them. The people brought a stone aboord like to Emery (a stone vsed by Glasiers to cut Glasse) it would cut Iron or Steele: Yet being bruised small, and water put to it, it made a colour like blacke Lead glistering; It is also good for Painters Colours. At three of the clocke they departed, and we rode still all night.

The first of October, faire weather, the wind variable betweene the West and the North. In the morning we weighed at seuen of the clocke with the ebbe, and got downe below the Mountaynes, which was seuen leagues. Then it fell calme and the floud was come, and wee anchored at twelue of the clocke. The people of the Mountaynes came aboord vs,

wondring at our ship and weapons. We bought some small skinnes of them for Trifles. This afternoone, one Canoe kept hanging vnder our sterne with one man in it, which we could not keepe from thence, who got vp by our Rudder to the Cabin window, and stole out my Pillow, and two Shirts, and two Bandeleeres. Our Masters Mate shot at him, and strooke him on the brest, and killed him. Whereupon all the rest fled away, some in their Canoes, and so leapt out of them into the water. We manned out Boat, and got our things againe. Then one of them that swamme got hold of our Boat, thinking to ouerthrow it. But our Cooke tooke a Sword, and cut off one of his hands, and he was drowned. By this time the ebbe was come, and we weighed and got downe two leagues, by that time it was darke. So we anchored in foure fathomes water, and rode well.

The second, faire weather. At break of day wee weighed, the wind being at North-west, and got downe seuen leagues; then the floud was come strong, so we anchored. Then came one of the Sauages that swamme away from vs at our going vp the Riuer with many other, thinking to betray vs. But wee perceiued their intent, and suffered none of them to enter our ship. Whereupon two Canoes full of men, with their Bowes and Arrowes shot at vs after our sterne: in recompence whereof we discharged sixe Muskets, and killed two or three of them. Then aboue an hundred of them came to a point of Land to shoot at vs. There I shot a Falcon at them, and killed two of them: whereupon the rest fled into the Woods. Yet they manned off another Canoe with nine or ten men, which came to meet vs. So I shot at it also a Falcon, and shot it through, and killed one of them. Then our men with their Muskets, killed three or foure more of them. So they went their way, within a while after, wee got downe two leagues beyond that place, and anchored in a Bay,

cleere from all danger of them on the other side of the Riuer, where we saw a very good piece of ground: and hard by it there was a Cliffe, that looked of the colour of a white greene, as though it were either Copper, or Siluer Myne: and I thinke it to be one of them, by the Trees that grow vpon it. For they be all burned, and the other places are greene as grasse, it is on that side of the Riuer that is called *Manna-hata*. There we saw no people to trouble vs: and rode quietly all night; but had much wind and raine.

The third, was very stormie; the wind at East North-east. In the morning, in a gust of wind and raine our Anchor came home, and we droue on ground, but it was Ozie. Then as we were about to haue out an Anchor, the wind came to the North North-west, and droue vs off againe. Then we shot an Anchor, and let it fall in foure fathomes water, and weighed the other. Wee had much wind and raine, with thicke weather: so we rode still all night.

The fourth, was faire weather, and the wind at North North-west, wee weighed and came out of the Riuer, into which we had runne so farre. Within a while after, wee came out also of *The great mouth of the great Riuer*, that runneth vp to the North-west, borrowing vpon the Norther side of the same, thinking to haue deepe water; for wee had sounded a great way with our Boat at our first going in, and found seuen, six, and fiue fathomes. So we came out that way, but we were deceiued, for we had but eight foot and an halfe water: and so to three, fiue, three, and two fathomes and an halfe. And then three, foure, fiue, sixe, seuen, eight, nine and ten fathomes. And by twelue of the clocke we were cleere of all the Inlet. Then we tooke in our Boat, and set our mayne-sayle and sprit-sayle, and our top-sayles, and steered away East South-east,

and South-east by East off into the mayne sea: and the Land on the Souther-side of the Bay or Inlet, did beare at noone West and by South foure leagues from vs.

The fift, was faire weather, and the wind variable betweene the North and the East. Wee held on our course South-east by East. At noone I obserued and found our height to bee 39 degrees 30 minutes. Our Compasse varied sixe degrees to the West.

We continued our course toward *England*, without seeing any Land by the way, all the rest of this moneth of October: And on the seuenth day of Nouember, *stilo nouo*, being Saturday: by the Grace of God we safely arriued in the Range of *Dartmouth* in *Deuonshire*, in the yeere 1609.

An Abstract of the Iournall of Master HENRY HVDSON, *for the Discouerie of the North-west Passage, begunne the seuenteenth of Aprill*, 1610, *ended with his end, being treacherously exposed by some of the Companie.*

THE seuenteenth of Aprill, 1610, we brake ground, and went downe from Saint *Katharines* Poole, and fell downe to *Blacke-wall:* and so plyed downe with the ships to *Lee*, which was the two and twentieth day.

The two and twentieth, I caused Master *Coleburne* to bee put into a Pinke, bound for *London*, with my Letter to the Aduenturers, importing the reason wherefore I so put him out of the ship, and so plyed forth.

The second of May, the wind Southerly, at Eeuen we were thwart of *Flamborough* Head.

The fift, we were at the Iles of *Orkney*, and here I set the North end of the Needle, and the North of the Flie all one.

The sixt, wee were in the latitude of 59 degrees 22 minutes, and there perceiued that the North end of *Scotland*, *Orney*, and *Shotland* are not so Northerly, as is commonly set downe. The eight day, wee saw *Farre* Ilands, in the latitude of 62 degrees 24 minutes. The eleuenth day, we fell with the Easter part of *Island*, and then plying along the Souther part of the Land, we came to *Westmony*, being the fifteenth day, and still plyed about the mayne Iland, vntill the last of May with contrary winds, and we got some Fowles of diuers sorts.

The first day of Iune, we put to Sea out of an Harbour, in the Westermost part of *Island*, and so plyed to the Westward in the latitude of 66 degrees 34 minutes, and the second day plyed and found our selues in 65 degrees 57 minutes, with little wind Easterly.

The third day, wee found our selues in 65 degrees 30 minutes, with winde at North-east, a little before this we sayled neere some Ice.

The fourth day, we saw *Groneland* ouer the Ice perfectly, and this night the Sunne went downe due North, and rose North North-east. So plying the fift day, we were in 65 degrees, still encombred with much Ice, which hung vpon the Coast of *Groneland.*

The ninth day, wee were off *Frobishers* Streights with the winde Northerly, and plyed vnto the South-westwards vntill the fifteenth day.

The fifteenth day, we were in sight of the land, in latitude 59 degrees 27 minutes, which was called by Captayne *Iohn Dauis*, *Desolation*, and found the errour of the former laying downe of that Land: and then running to the North-westward vntill the twentieth day, wee found the ship in 60 degrees 42 minutes, and saw much Ice, and many Riplings or Ouer-fals,

and a strong streame setting from East South-east, to West North-west.

The one and twentie, two and twentie, and three and twentie dayes, with the winde variable, we plyed to the North-westward in sight of much Ice, into the height of 62 degrees 29 minutes.

The foure and twentie, and fiue and twentie dayes, sayling to the West-ward about mid-night, wee saw Land North, which was suddenly lost againe. So wee ranne still to the West-ward in 62 degrees 17 minutes.

The fift of Iuly, wee plyed vp vpon the Souther side, troubled with much Ice in seeking the shoare vntill the fift day of Iuly, and we obserued that day in 59 degrees 16 minutes. Then we plyed off the shoare againe, vntill the eight day, and then found the height of the Pole in 60 degrees no minutes. Here we saw the Land from the North-west by West, halfe Northerly, vnto the South-west by West, couered with snow, a Champaigne Land, and called it, *Desire prouoketh.*

We still plyed vp to the Westward, as the Land and Ice would suffer vntill the eleuenth day; when, fearing a storme, we anchored by three Rockie Ilands in vncertayne depth, betweene two and nine fathomes; and found it an Harbour vnsufficient by reason of sunken Rockes, one of which was next morning two fathomes aboue water. Wee called them the *Isles of Gods Mercies.* The water floweth here better then foure fathomes. The Floud commeth from the North, flowing eight the change day. The latitude in this place is 62 degrees 9 minutes. Then plying to the South-westward the sixteenth day, wee were in the latitude of 58 degrees 50 minutes, but found our selues imbayed with Land, and had much Ice: and we plyed to the North-westward vntill the nineteenth day, and then wee found by obseruation the height of the Pole in 61 degrees 24 minutes, and saw the Land, which I named, *Hold with Hope.*

Hence I plyed to the North-westward still, vntill the one and twentieth day, with the wind variable. Heere I found the Sea more growne, then any wee had since wee left *England*.

The three and twentieth day, by obseruation the height of the Pole was 61 degrees 33 minutes. The fiue and twentieth day, we saw the Land; and named it *Magna Britannia*. The sixe and twentieth day, wee obserued and found the latitude in 62 degrees 44 minutes. The eight and twentieth day, we were in the height of 63 degrees 10 minutes, and plyed Southerly of the West. The one and thirtieth day, plying to the Westward, at noone wee found our selues in 62 degrees 24 minutes.

The first of August, we had sight of the Northerne shoare, from the North by East to the West by South off vs: the North part twelue leagues, and the Wester part twentie leagues from vs: and we had no ground there at one hundred and eightie fathomes. And I thinke I saw Land on the Sunne side, but could not make it perfectly, bearing East North-east. Here I found the latitude 62 degrees 50 minutes.

The second day, we had sight of a faire Head-land, on the Norther shoare six leagues off, which I called *Salisburies* Fore-land: we ranne from them West South-west, fourteene leagues: In the mid-way of which wee were suddenly come into a great and whurling Sea, whether caused by meeting of two streames, or an Ouer-fall, I know not. Thence sayling West and by South seuen leagues farther, we were in the mouth of a Streight and sounded, and had no ground at one hundred fathomes: the Streight being there not aboue two leagues broad, in the passage in this Wester part: which from the Easter part of *Fretum Danis*, is distant two hundred and fiftie leagues there abouts.

The third day, we put through the narrow passage, after our men had beene on Land, which had well

obserued there, *That the Floud did come from the North*, flowing by the shoare fiue fathomes. The head of this entrance on the South side, I named Cape *Worsenholme;* and the head on the North-wester shoare, I called Cape *Digs*. After wee had sailed with an Easterly winde, West and by South ten leagues, the Land fell away to the Southward, and the other Iles and Land left vs to the Westward. Then I obserued and found the ship at noone in 61 degrees 20 minutes, and a Sea to the Westward.

A larger Discourse of the same Voyage, and the successe thereof, written by Abacvk Pricket.

WE began our Voyage for the North-west passage; the seuenteenth of Aprill, 1610. Thwart of *Shepey*, our Master sent Master *Colbert* back to the Owners with his Letter. The next day we weighed from hence, and stood for *Harwich*, and came thither the eight and twentieth of Aprill. From *Harwich* we set sayle the first of May, along the Coast to the North, till we came to the Iles of *Orkney*, from thence to the Iles of *Faro*, and from thence to *Island:* on which we fell in a fogge, hearing the Rut of the Sea ashoare, but saw not the Land whereupon our Master came to an Anchor. Heere we were embayed in the South-east part of the Land. Wee weighed and stood along the Coast, on the West side towards the North: but one day being calme, we fell a fishing, and caught good store of fish, as Cod and Ling, and Butte, with some other sorts that we knew not. The next day, we had a good gale of wind at South-west, and raysed the Iles of *Westmonie*, where the King of *Denmarke* hath a Fortresse, by which we passed to rayse the *Snow Hill* foot, a Mountayne so called on

the North-west part of the Land. But in our course we saw that famous Hill, Mount *Hecla*, which cast out much fire, a signe of foule weather to come in short time. Wee leaue *Island* a sterne of vs, and met a Mayne of Ice, which did hang on the North part of *Island*, and stretched downe to the West, which when our Master saw, he stood backe for *Island* to find an Harbour, which we did on the North-west part, called *Dorefer*, where wee killed good store of Fowle. From hence wee put to Sea againe, but (neither wind nor weather seruing) our Master stood backe for this Harbour againe, but could not reach it, but fell with another to the South of that, called by our *Englishmen*, *Lousie* Bay: where on the shoare we found an hot Bath, and here all our *Englishmen* bathed themselues: the water was so hot that it would scald a Fowle.

From hence the first of Iune we put to Sea for *Groneland*, but to the West wee saw Land as we thought, for which we beare the best part of a day, but it proued but a foggie banke. So wee gaue it ouer, and made for *Gronland*, which we raysed the fourth of Iune. Vpon the Coast thereof hung good store of Ice, so that our Master could not attayne to the shoare by any meanes. The Land in this part is very Mountaynous, and full of round Hils, like to Sugar-loaues, couered with snow. We turned the Land on the South side, as neere as the Ice would suffer vs. Our course for the most part was betweene the West and North-west, till we raysed the *Desolations*, which is a great Iland in the West part of *Groneland*. On this Coast we saw store of Whales, and at one time three of them came close by vs, so as wee could hardly shunne them: then two passing very neere, and the third going vnder our ship, wee receiued no harme by them, praysed be God.

From the *Desolations* our Master made his way North-west, the wind being against him, who else would haue gone more to the North: but in this

course we saw the first great Iland or Mountayne of Ice, whereof after we saw store. About the latter end of Iune, we raysed Land to the North of vs, which our Master tooke to bee that Iland which Master *Dauis* setteth downe in his Chart. On the West side of his Streight, our Master would haue gone to the North of it, but the wind would not suffer him: so we fell to the South of it, into a great Rippling or ouer-fall of current, the which setteth to the West. Into the current we went, and made our way to the North of the West, till we met with Ice which hung on this Iland. Wherefore our Master casting about, cleered himselfe of this Ice, and stood to the South, and then to the West, through store of floting Ice, and vpon the Ice store of Seales. We gained a cleere Sea, and continued our course till wee meete Ice; first, with great Ilands, and then with store of the smaller sort. Betweene them we made our course North-west, till we met with Ice againe. But, in this our going betweene the Ice, we saw one of the great Ilands of Ice ouerturne, which was a good warning to vs, not to come nigh them, nor within their reach. Into the Ice wee put ahead, as betweene two Lands. The next day we had a storme, and the wind brought the Ice so fast vpon vs, that in the end we were driuen to put her into the chiefest of the Ice, and there to let her lie. Some of our men this day fell sicke, I will not say it was for feare, although I saw small signe of other griefe.

The storme ceasing, we stood out of the Ice, where wee saw any cleere Sea to goe to: which was sometime more and sometime lesse. Our course was as the Ice did lye, sometime to the North, then to the North-west, and then to the West, and to the South-west: but still inclosed with Ice. Which when our Master saw, he made his course to the South, thinking to cleere himselfe of the Ice that way: but the more he stroue, the worse he was, and the more inclosed, till we could goe no further.

Here our Master was in despaire, and (as he told me after) he thought he should neuer haue got out of this Ice, but there haue perished. Therefore hee brought forth his Card, and shewed all the company, that hee was entered aboue an hundred leagues further then euer any *English* was: and left it to their choice, whether they would proceed any further; yea, or nay. Whereupon, some were of one minde, and some of another, some wishing themselues at home, and some not caring where, so they were out of the Ice: but there were some who then spake words, which were remembred a great while after.

There was one who told the Master, that if he had an hundred pounds, hee would giue foure-score and ten to be at home: but the Carpenter made answere, that if hee had an hundred, hee would not giue ten vpon any such condition, but would thinke it to be as good money as euer he had any, and to bring it as well home, by the leaue of God. After many words to no purpose, to worke we must on all hands, to get our selues out, and to cleere our ship. After much labour and time spent, we gained roome to turne our ship in, and so by little and little, to get cleere in the Sea a league or two off, our course being North and North-west.

In the end, we raysed Land to the South-west, high Land and couered with Snow. Our Master named this Land, *Desire prouokes*. Lying here, wee heard the noyse of a great ouer-fall of a tyde, that came out of the Land: for now we might see well, that wee had beene embayed before, and time had made vs know, being so well acquainted with the Ice, that when night, or foggie, or foule weather tooke vs, we would seeke out the broadest Iland of Ice, and there come to anchor and runne, and sport, and fill water that stood on the Ice in Ponds, both sweete and good. But after we had brought this Land to beare South of vs, we had the tyde and the current to open

the Ice, as being carried first one way, and then another: but in Bayes they lye as in a pond without mouing. In this Bay where wee were thus troubled with Ice, wee saw many of those mountaynes of Ice aground, in sixe or seuenscore fathome water. In this our course we saw a Beare vpon a piece of Ice by it selfe, to the which our men gaue chase with their Boat: but before they came nigh her, the tyde had carried the Ice and the Beare on it, and ioyned it with the other Ice: so they lost their labour, and came aboord againe.

We continued our course to the North-west, and raysed Land to the North of our course, toward which we made, and comming nigh it, there hung on the Eastermost point, many Ilands of floting Ice, and a Beare on one of them, which from one to another came towards vs, till she was readie to come aboord. But when she saw vs looke at her, she cast her head betweene her hinder legges, and then diued vnder the Ice: and so from one piece to another, till she was out of our reach. We stood along by the Land on the Southside ahead of vs, wee met with Ice that hung on a point of Land that lay to the South, more then this that we came vp by: which when our Master saw, he stood in for the shoare. At the West end of this Iland (for so it is) we found an Harbour, and came in (at a full Sea) ouer a Rocke, which had two fathome and an halfe on it, and was so much bare at a low water. But by the great mercie of God, we came to an Anchor cleere of it: and close by it, our Master named them, the *Iles of Gods Mercie*. This is an Harbour for need, but there must be care had how they come in. Heere our Master sent me, and others with me, to discouer to the North and North-west: and in going from one place to another, we sprung a Couey of Patridges which were young: at the which *Thomas Woodhouse* shot, but killed only the old one. This Iland is a most barren place, hauing nothing on it

but plashes of water and riuen Rockes, as if it were subject to Earthquakes. To the North there is a great Bay, or Sea (for I know not what it will proue) where I saw a great Iland of Ice aground, betweene the two Lands, which with the Spring-tide was set afloat, and carried into this Bay or Sea to the North-westward, but came not backe againe, nor within sight. Heere wee tooke in some Drift wood that we found ashoare.

From hence we stood to the South-west, to double the Land to the West of vs, through much floting Ice: In the end wee found a cleere Sea, and continued therein, till wee raysed Land to the North-west. Then our Master made his course more to the South then before: but it was not long ere we met with Ice which lay ahead of vs. Our Master would haue doubled this Ice to the North, but could not; and in the end put into it downe to the South-west through much Ice, and then to the South, where we were embayed againe. Our Master stroue to get the shoare, but could not, for the great store of Ice that was on the coast. From out of this Bay, we stood to the North, and were soone out of the Ice: then downe to the South-west, and so to the West, where we were enclosed (to our sight) with Land and Ice. For wee had Land from the South to the North-west on one side, and from the East to the West on the other: but the Land that was to the North of vs, and lay by East and West, was but an Iland. On we went till we could goe no further for Ice: so we made our ship fast to the Ice which the tide brought vpon vs, but when the ebbe came, the Ice did open, and made way; so as in seuen or eight houres we were cleere from the Ice, till we came to weather; but onely some of the great Ilands, that were carried along with vs to the North-west.

Hauing a cleere Sea, our Master stood to the West along by the South shoare, and raysed three Capes or Head-lands, lying one aboue another. The

middlemost is an Iland, and maketh a Bay or Harbour, which (I take) will proue a good one. Our Master named them Prince *Henries* Cape, or *Fore land.* When we had layd this we raised another, which was the extreme point of the Land, looking towards the North: vpon it are two Hills, but one (aboue the rest) like an Hay-cocke; which our Master named, King *Iames* his Cape. To the North of this, lie certaine Ilands, which our Master named, Queene *Annes* Cape, or *Fore-land.* Wee followed the North shoare still. Beyond the Kings Cape there is a Sound or Bay, that hath some Ilands in it: and this is not to be forgotten, if need be. Beyond this, lieth some broken Land, close to the Mayne, but what it is I know not: because we passed by it in the night.

Wee stood to the North to double this Land, and after to the West againe, till wee fell with Land that stretched from the Mayne, like a shewer from the South to the North, and from the North to the West, and then downe to the South againe. Being short of this Land, a storme tooke vs, the wind at West, we stood to the North, and raised Land: which when our Master saw, he stood to the South againe; for he was loath at any time that wee should see the North shoare. The storme continuing, and comming to the South shoare againe, our Master found himselfe shot to the West, a great way, which made him muse, considering his Leeward way. To the South-west of this Land, on the Mayne, there is an high Hill, which our Master named Mount *Charles.* To the North and beyond this, lieth an Iland, that to the East hath a faire head, and beyond it to the West other broken Land, which maketh a Bay within, and a good Road may be found there for ships. Our Master named the first, Cape *Salsburie.*

When we had left this to the North-east, we fell into a Rippling or Ouer-fall of a Current, which (at the first we tooke to bee a Shoald: but the Lead being cast, wee had no ground. On we passed still in

sight of the South shoare, till we raised Land lying from the Mayne some two leagues. Our Master tooke this to bee a part of the Mayne of the North Land; but it is an Iland, the North side stretching out to the West more then the South. This Iland hath a faire Head to the East, and very high Land, which our Master named *Deepes* Cape: and the Land on the South side, now falling away to the South, makes another Cape or Head-land, which our Master named, *Worsenhams* Cape. When wee were nigh the North or Iland Cape, our Master sent the Boat ashoare, with my selfe (who had the charge) and the Carpenter, and diuers others, to discouer to the West and North-west, and to the South-west: but we had further to it then we thought; for the Land is very high, and we were ouer-taken with a storme of Raine, Thunder and Lightning. But to it we came on the North-east side, and vp we got from one Rocke to another, till we came to the highest of that part. Here we found some plaine ground, and saw some Deere; as first, foure or fiue, and after, a dozen or sixteene in an Herd, but could not come nigh them with a Musket shot.

Thus, going from one place to another, wee saw to the West of vs an high Hill aboue all the rest, it being nigh vs: but it proued further off then we made account; for, when wee came to it, the Land was so steepe on the East and North-east parts, that wee could not get vnto it. To the South-west we saw that wee might, and towards that part wee went along by the side of a great Pond of water, which lieth vnder the East side of this Hill: and there runneth out of it a streame of water, as much as would driue an ouer-shot Mill; which falleth downe from an high Cliffe into the Sea on the South side. In this place great store of Fowle breed, and there is the best Grasse that I had seene since we came from *England*. Here wee found Sorell, and that which wee call Scuruy-grasse, in great abundance. Pass-

ing along wee saw some round Hills of stone, like to Grasse cockes, which at the first I tooke to be the worke of some Christian. Wee passed by them, till we came to the South side of the Hill; we went vnto them, and there found more; and being nigh them, I turned off the vppermost stone, and found them hollow within, and full of Fowles hanged by their neckes. Then *Greene*, and I, went to fetch the Boat to the South side, while *Robert Billet* and hee got downe a Valley to the Sea side, where wee took them in.

Our Master (in this time) came in betweene the two Lands, and shot off some Peeces to call vs aboord; for it was a fogge. Wee came aboord, and told him what we had seene, and perswaded him to stay a day or two in this place, telling him what refreshing might there bee had: but by no meanes would he stay, who was not pleased with the motion. So we left the Fowle, and lost our way downe to the South-west, before they went in sight of the Land, which now beares to the East from vs, being the same mayne Land that wee had all this while followed. Now, we had lost the sight of it, because it falleth away to the East, after some fiue and twenty or thirty leagues. Now we came to the shallow water, wherewith wee were not acquainted since we came from *Island;* now we came into broken ground and Rockes, through which we passed downe to the South. In this our course we had a storme, and the water did shoald apace. Our Master came to an anchor in fifteene fathoms water.

Wee weighed and stood to the South-east, because the Land in this place did lie so. When we came to the point of the West Land (for we now had Land on both sides of vs) we came to an anchor. Our Master sent the Boat ashoare, to see what that Land was, and whether there were any way through.—They soone returned, and shewed that beyond the point of Land to the South, there was a large Sea.

This Land on the West side, was a very narrow Point. Wee weighed from hence, and stood in for this Sea betweene the two Lands, which (in this place) is not two leagues broad downe to the South, for a great way in sight of the East shoare. In the end we lost sight thereof, and saw it not till we came to the bottome of the Bay, into sixe or seuen fathomes water. Hence we stood vp to the North by the West shoare, till wee came to an Iland in 53. where we tooke in water and ballast.

From hence wee passed towards the North: but some two or three dayes after (reasoning concerning our comming into this Bay, and going out) our Master tooke occasion to reuiue old matters, and to displace *Robert Iuet* from being his Mate, and the Boat-swaine from his place, for words spoken in the first great Bay of Ice. Then hee made *Robert Billet* his Mate, and *William Wilson* our Boat-swaine. Vp to the North wee stood, till we raised Land, then downe to the South, and vp to the North, then downe againe to the South: and on Michaelmasse day came in, and went out of certaine Lands: which our Master sets downe by the name of *Michaelmasse* Bay, because we came in and went out on that day. From hence wee stood to the North, and came into shoald water; and the weather being thicke and foule, wee came to an anchor in seuen or eight fathome water, and there lay eight dayes: in all which time wee could not get one houre to weigh our anchor. But the eight day, the wind beginning to cease, our Master would haue the anchor vp, against the mind of all who knew what belonged thereunto. Well, to it we went, and when we had brought it to a peake, a Sea tooke her, and cast vs all off from the Capstone, and hurt diuers of vs. Here wee lost our Anchor, and if the Carpenter had not beene, we had lost our Cable too: but he (fearing such a matter) was ready with his Axe, and so cut it.

From hence we stood to the South, and to the South-west, through a cleere Sea of diuers sounding, and came to a Sea of two colours, one blacke, and the other white, sixteene or seuenteene fathome water, betweene which we went foure or fiue leagues. But the night comming, we tooke in our Top-sayles, and stood afore the wind with our Maine-sayle and Fore-sayle, and came into fiue or sixe fathomes, and saw no Land for it was darke. Then we stood to the East, and had deepe water againe, then to the South and Southwest, and so came to our Westermost Bay of all, and came to an anchor neerest to the North shoare. Out went our Boat to the Land that was next vs, when they came neere it, our Boat could not flote to the shoare it was so shallow: yet ashoare they got. Here our men saw the footing of a man and a Ducke in the snowy Rockes, and Wood good store, whereof they tooke some and returned aboord. Being at anchor in this place, we saw a ledge of Rockes to the South of vs, some league of length; It lay North and South, couered at a full Sea; for a strong tide setteth in here. At mid-night wee weighed, and stood to goe out as we came in; and had not gone long, but the Carpenter came and told the Master, that if he kept that course he would be vpon the Rockes: the Master conceiued that he was past them, when presently wee ranne on them, and there stucke fast twelue houres: but (by the mercy of God) we got off vnhurt, though not vnscarred.

Wee stood vp to the East and raysed three Hills, lying North and South: wee went to the furthermost, and left it to the North of vs, and so into a Bay, where wee came to an anchor. Here our Master sent out our Boat, with my selfe and the Carpenter to seeke a place to winter in: and it was time; for the nights were long and cold, and the earth couered with Snow. Hauing spent three moneths in a Labyrinth without end, being now the last of October, we went downe to the East, to the

bottome of the Bay: but returned without speeding of that we went for. The next day we went to the South, and the South-west, and found a place, whereunto we brought our ship, and haled her aground: and this was the first of Nouember.— By the tenth thereof we were frozen in: but now we were in, it behoued vs to haue care of what we had; for, that we were sure of; but what we had not, was vncertaine.

Wee were victualled for sixth moneths in good proportion, and of that which was good: if our Master would haue had more, he might haue had it at home and in other places. Here we were now, and therefore it behoued vs so to spend, that wee might haue (when time came) to bring vs to the *Capes* where the Fowle bred, for that was all the hope wee had to bring vs home. Wherefore our Master tooke order, first for the spending of that wee had, and then to increase it, by propounding a reward to them that killed either Beast, Fish, or Fowle, as in his Iournall you haue seene. About the middle of this moneth of Nouember, dyed *Iohn Williams* our Gunner: God pardon the Masters vncharitable dealing with this man. Now for that I am come to speake of him, out of whose ashes (as it were) that vnhappy deed grew which brought a scandall vpon all that are returned home, and vpon the action itselfe, the multitude (like the dog) running after the stone, but not at the caster: therefore, not to wrong the liuing, nor slander the dead, I will (by the leaue of God) deliuer the truth as neere as I can.

You shall vnderstand, that our Master kept (in his house at *London*) a young man, named *Henrie Greene*, borne in *Kent*, of Worshipfull Parents, but by his leud life and conuersation hee had lost the good will of all his frinds, and had spent all that hee had. This man, our Master would haue to Sea with him, because hee could write well: our Master gaue him

meate, and drinke, and lodging, and by meanes of one Master *Venson*, with much adoe got foure pounds of his mother to buy him clothes, wherewith Master *Venson* would not trust him: but saw it laid out himselfe. This *Henrie Greene* was not set downe in the owners booke, nor any wages made for him. Hee came first aboord at *Grauesend*, and at *Harwich* should haue gone into the field, with one *Wilkinson*. At *Island* the Surgeon and hee fell out in *Dutch*, and hee beat him a shoare in *English*, which set all the company in a rage; so that wee had much adoe to get the Surgeon aboord. I told the Master of it, but hee bade mee let it alone, for (said hee) the Surgeon had a tongue that would wrong the best friend hee had. But *Robert Iuet* (the Masters Mate) would needs burne his finger in the embers, and told the Carpenter a long tale (when hee was drunke) that our Master had brought in *Greene* to cracke his credit that should displease him: which words came to the Masters eares, who when hee vnderstood it, would haue gone backe to *Island*, when he was fortie leagues from thence, to haue sent home his Mate *Robert Iuet* in a Fisher-man. But, being otherwise perswaded, all was well. So *Henry Greene* stood vpright, and very inward with the Master, and was a seruiceable man euery way for manhood: but for Religion he would say, he was cleane paper whereon he might write what he would. Now, when our Gunner was dead, and (as the order is in such cases) if the company stand in need of any thing that belonged to the man deceased, then is it brought to the Mayne Mast, and there sold to them that will giue most for the same: This Gunner had a gray cloth gowne, which *Greene* prayed the Master to friend him so much as to let him haue it, paying for it as another would giue: the Master saith hee should, and thereupon hee answered some, that sought to haue it, that *Greene* should haue it, and none else, and so it rested.

Now out of season and time, the Master calleth the Carpenter to goe in hand with an house on shoare, which at the beginning our Master would not heare, when it might haue been done. The Carpenter told him, that the Snow and Frost were such, as hee neither could, nor would goe in hand with such worke. Which when our Master heard, hee ferreted him out of his Cabbin to strike him, calling him by many foule names, and threatning to hang him. The Carpenter told him that hee knew what belonged to his place better then himselfe, and that hee was no House Carpenter. So this passed, and the house was (after) made with much labour, but to no end. The next day after the Master and the Carpenter fell out, the Carpenter tooke his Peece and *Henry Greene* with him, for it was an order that none should goe out alone, but one with a Peece, and another with a Pike. This did moue the Master so much the more against *Henry Greene*, that *Robert Billet* his Mate must haue the gowne, and had it deliuered vnto him; which when *Henry Greene* saw, he challenged the Masters promise: but the Master did so raile on *Greene*, with so many words of disgrace, telling him, that all his friends would not trust him with twenty shillings, and therefore why should he? As for wages he had none, nor none should haue, if he did not please him well. Yet the Master had promised him to make his wages as good, as any mans in the ship; and to haue him one of the Princes guard when we came home. But you shall see how the deuil out of this so wrought with *Green*, that he did the Master what mischiefe hee could in seeking to discredit him, and to thrust him and many other honest men out of the Ship in the end. To speake of all our trouble in this time of the Winter (which was so cold, as it lamed the most of our Company, and my selfe doe yet feele it) would bee too tedious.

But I must not forget to shew, how mercifully God dealt with vs in this time; for the space of three moneths wee had such store of Fowle of one kinde (which where Partridges as white as milke) that wee killed aboue an hundred dozen, besides others of sundry sorts: for all was fish that came to the net. The Spring comming, this Fowle left vs, yet they were with vs all the extreame cold. Then in their places came diuers sort of other Fowle, as Swanne Geese, Duck, and Teale, but hard to come by. Our Master hoped they would haue bred in those broken grounds, but they doe not: but came from the South, and flew to the North, further then we were this Voyage; yet if they be taken short with the wind at North, or North-west, or North-east, then they fall and stay till the winde serue them, and then flye to the North. Now in time these Fowles are gone, and few or none to bee seene. Then wee went into the Woods, Hilles, and Valleyes, for all things that had any shew of substance in them, how vile soeuer: the mosse of the ground, then the which I take the powder of a post to bee much better, and the Frogge (in his ingendring time as loathsome as a Toade) was not spared. But amongst the diuers sorts of buds, it pleased God that *Thomas Woodhouse* brought home a budde of a Tree, full of a Turpentine substance. Of this our Surgeon made a decoction to drinke, and applyed the buddes hot to them that were troubled with ach in any part of their bodies; and for my part, I confesse, I receiued great and present ease of my paine.

About this time, when the Ice began to breake out of the Bayes, there came a Sauage to our Ship, as it were to see and to bee seene, being the first that we had seene in all this time: whom our Master intreated well, and made much of him, promising vnto himselfe great matters by his meanes, and therefore would haue all the Kniues and Hatchets (which any

man had) to his priuate vse, but receiued none but from *Iohn King* the Carpenter, and my selfe. To this Sauage our Master gaue a Knife, a Looking-glasse, and Buttons, who receiued them thankefully, and made signes that after hee had slept hee would come againe, which hee did. When hee came, hee brought with him a Sled, which hee drew after him, and vpon it two Deeres skinnes, and two Beauer skinnes. Hee had a scrip vnder his arme, out of which he drew those things which the Master had giuen him. Hee tooke the Knife and laid it vpon one of the Beauer skinnes, and his Glasses and Buttons vpon the other, and so gaue them to the Master, who receiued them; and the Sauage tooke those things which the Master had giuen him, and put them vp into his scrip againe. Then the Master shewed him an Hatchet, for which hee would haue giuen the Master one of his Deere skinnes, but our Master would haue them both, and so hee had, although not willingly. After many signes of people to the North, and to the South, and that after so many sleepes he would come againe, he went his way, but neuer came more.

Now the Ice being out of the Sounds, so that our Boat might go from one place vnto another, a company of men were appointed by the Master to go a fishing with our net; their names were as followeth: *William Wilson*, *Henry Greene*, *Michael Perce*, *Iohn Thomas*, *Andrew Moter*, *Bennet Mathewes*, and *Arnold Lodlo*. These men, the first day they went, caught fiue hundred fish, as big as good Herrings, and some Troutes: which put vs all in some hope to haue our wants supplied, and our Commons amended: but these were the most that euer they got in one day, for many dayes they got not a quarter so many. In this time of their fishing, *Henry Green* and *William Wilson*, with some others, plotted to take the net and the shallop, which the Carpenter had now set vp, and so to shift for themselues. But the shallop being readie, our Master would goe in it himselfe, to the South

and South-west, to see if hee could meete with the people; for, to that end was it set vp, and (that way) wee might see the Woods set on fire by them. So the Master tooke the Sayue and the Shallop, and so much victuall as would serue for eight or nine dayes, and to the South hee went. They that remained aboord, were to take in water, wood, and ballast, and to haue all things in a readinesse against hee came backe. But hee set no time of his returne; for he was perswaded, if he could meet with the people, hee should haue flesh of them, and that good store: but hee returned worse then hee went forth. For, hee could by no meanes meete with the people, although they were neere them, yet they would set the woods on fire in his sight.

Being returned, hee fitted all things for his returne, and first, deliuered all the bread out of the bread roome (which came to a pound a piece for euery mans share) and deliuered also a Bill of Returne, willing them to haue that to shew, if it pleased God, that they came home: and he wept when hee gaue it vnto them. But to helpe vs in this poore estate with some reliefe, the Boate and Sayue went to work on Friday morning, and stayed till Sunday noone: at which time they came aboord, and brought foure-score small Fish, a poore reliefe for so many hungry bellies. Then we wayed, and stood out of our wintering place, and came to an Anchor without, in the mouth of the Bay: from whence we wayed and came to an anchor without in the Sea, where our bread being gone, that store of cheese we had was to stop a gap, whereof there were fiue, whereat the company grudged, because they made account of nine. But those that were left, were equally diuided by the Master, although he had counsell to the contrarie: for there were some who hauing it, would make hast to bee rid thereof, because they could not gouerne it. I knew when *Henrie Greene* gaue halfe his bread, which hee had for fourteene dayes, to one to keepe,

and prayed him not to let him haue any vntill the next Munday: but before Wednesday at night, hee neuer left till hee had it againe, hauing eaten vp his first weekes bread before. So *Wilson* the Boat-swaine hath eaten (in one day) his fortnights bread, and hath beene two or three dayes sicke for his labour. The cause that moued the Master to deliuer all the Cheese, was because they were not all of one goodnesse, and therefore they should see that they had no wrong done them: but euery man should haue alike the best and the worst together, which was three pounds and a halfe for seuen dayes.

The wind seruing, we weighed and stood to the North-west, and on Munday at night (the eighteenth day of Iune) wee fell into the Ice, and the next day the wind being at West, we lay there till Sunday in sight of Land. Now being here, the Master told *Nicholas Simmes*, that there would be a breaking vp of chests, and a search for bread, and willed him (if hee had any) to bring it to him, which hee did, and deliuered to the Master thirty cakes in a bagge. This deed of the Master (if it bee true) hath made mee maruell, what should bee the reason that hee did not stopt he breach in the beginning, but let it grow to that height, as that it ouerthrew himselfe and many other honest men: but *there are many deuices in the heart of man, yet the counsell of the Lord shall stand.*

Being thus in the Ice on Saturday, the one and twentieth of Iune at night, *Wilson* the Boatswayne, and *Henry Greene* came to mee lying (in my Cabbin) lame, and told mee that they and the rest of their Associates, would shift the Company, and turne the Master, and all the sicke men into the shallop, and let them shift for themselues. For, there was not fourteen daies victual left for all the Company, at that poore allowance they were at, and that there they lay, the Master not caring to goe one way or other: and that they had not eaten any thing these three dayes,

and therefore were resolute, either to mend or end, and what they had begun they would goe through with it, or dye. When I heard this, I told them I maruelled to heare so much from them, considering that they were married men, and had wiues and children, and that for their sakes they should not commit so foule a thing in the sight of God and man, as that would bee; for why should they banish themselues from their natiue Countrie? *Henry Greene* bad me hold my peace, for he knew the worst, which was, to be hanged when hee came home, and therefore of the two he would rather be hanged at home then starued abroad: and for the good will they bare me, they would haue mee stay in the Ship. I gaue them thankes, and told them that I came into her, not to forsake her, yet not to hurt my selfe and others by any such deed. *Henry Greene* told me then, that I must take my fortune in the Shallop. If there bee no remedie (said I) the will of God bee done.

Away went *Henry Greene* in a rage, swearing to cut his throat that went about to disturbe them, and left *Wilson* by me, with whom I had some talke, but to no good: for he was so perswaded, that there was no remedie now, but to goe on while it was hot, least their partie should faile them, and the mischiefe they had intended to others, should light on themselues. *Henry Greene* came againe, and demanded of him what I said. *Wilson* answered, He is in his old song, still patient. Then I spake to *Henry Greene* to stay three dayes, in which time I would so deale with the Master, that all should be well. So I dealt with him to forbeare but two dayes, nay twelue houres; there is no way then (say they) but out of hand. Then I told them, that if they would stay till Munday, I would ioyne with them to share all the victuals in the ship, and would iustifie it when I came home; but this would not serue their turnes. Wherefore I told them, it was some worse matter they had in hand then they made shew of, and that it was bloud and reuenge

hee sought, or else he would not at such a time of night vndertake such a deed. *Henry Greene* (with that) taketh my Bible which lay before me, and sware that hee would doe no man harme, and what hee did was for the good of the voyage, and for nothing else; and that all the rest should do the like. The like did *Wilson* sweare.

Henry Greene went his way, and presently came *Iuet*, who because hee was an ancient man, I hoped to haue found some reason in him; but hee was worse then *Henry Greene*, for hee sware plainely that he would iustifie this deed when he came home. After him came *Iohn Thomas*, and *Michael Perce*, as birds of one feather: but because they are not liuing, I will let them goe, as then I did. Then came *Moter* and *Bennet*, of whom I demanded, if they were well aduised what they had taken in hand. They answered, they were, and therefore came to take their oath.

Now, because I am much condemned for this oath, as one of them that plotted with them, and that by an oath I should bind them together to performe what they had begun, I thought good heere to set downe to the view of all, how well their oath and deedes agreed: and thus it was. *You shall sweare truth to God, your Prince and Countrie: you shall doe nothing, but to the glory of God, and the good of the action in hand, and harme to no man.* This was the oath, without adding or diminishing. I looked for more of these companions (although these were too many) but there came no more. It was darke, and they in a readinesse to put this deed of darknesse in execution. I called to *Henry Greene* and *Wilson*, and prayed them not to goe in hand with it in the darke, but to stay till the morning. Now, euerie man (I hope) would goe to his rest, but wickednesse sleepeth not; for *Henry Greene* keepeth the Master company all night (and gaue mee bread, which his Cabbin-

mate gaue him) and others are as watchfull as he. Then I asked *Henrie Greene*, whom he would put out with the Master? he said, the Carpenter *Iohn King*, and the sicke men. I said, they should not doe well to part with the Carpenter, what need soeuer they should haue. Why the Carpenter was in no more regard amongst them, was; first, for that he and *Iohn King* were condemned for wrong done in the victuall. But the chiefest cause was, for that the Master loued him, and made him his Mate, vpon his returne out of our wintering place, thereby displacing *Robert Billet*, whereat they did grudge, because hee could neither write nor read. And therefore (said they) the Master and his ignorant Mate would carry the Ship whither the Master pleased: the Master forbidding any man to keepe account or reckoning, hauing taken from all men whatsoeuer serued for that purpose. Well, I obtained of *Henrie Greene* and *Wilson*, that the Carpenter should stay, by whose meanes I hoped (after they had satisfied themselues) that the Master, and the poore man might be taken into the ship againe. Or, I hoped, that some one or other would giue some notice, either to the Carpenter *Iohn King*, or the Master; for so it might haue come to passe by some of them that were the most forward.

Now, it shall not bee amisse to shew how we were lodged, and to begin in the Cooke roome; there lay *Bennet* and the Cooper lame; without the Cooke roome, on the steere-board side, lay *Thomas Wydhouse* sicke; next to him lay *Sydrack Funer* lame, then the Surgeon, and *Iohn Hudson* with him; next to them lay *Wilson* the Boatswaine, and then *Arnold Lodlo* next to him: in the Gun-roome lay *Robert Iuet* and *Iohn Thomas;* on the Lar-boord side, lay *Michael Bute* and *Adria Moore*, who had neuer beene well since wee lost our Anchor; next to them lay *Michael Perce* and *Andrew Moter*. Next to them without the Gun-roome, lay *Iohn King*, and with him *Robert*

Billet: next to them my selfe, and next to me *Francis Clements:* In the mid-ship, betweene the Capstone and the Pumpes, lay *Henrie Greene* and *Nicholas Simmes.* This night *Iohn King* was late vp, and they thought he had been with the Master, but he was with the Carpenter, who lay on the Poope, and comming downe from him, was met by his Cabbin-mate, as it were by chance, and so they came to their Cabbin together. It was not long ere it was day: then came *Bennet* for water for the Kettle, hee rose and went into the Hold: when hee was in, they shut the Hatch on him (but who kept it downe I know not) vp vpon the Deck went *Bennet.*

In the meane time *Henrie Greene,* and another went to the Carpenter, and held him with a talke, till the Master came out of his Cabbin (which hee soone did) then came *Iohn Thomas* and *Bennet* before him, while *Wilson* bound his armes behind him. He asked them what they meant? they told him, he should know when he was in the Shallop. Now *Iuet,* while this was a doing, came to *Iohn King* into the Hold, who was prouided for him, for he had got a sword of his own, and kept him at a bay, and might haue killed him, but others came to helpe him: and so he came vp to the Master. The Master called to the Carpenter, and told him that he was bound; but, I heard no answere he made. Now *Arnold Lodlo,* and *Michael Bute* rayled at them, and told them their knauerie would shew it selfe. Then was the Shallop haled vp to the Ship side, and the poore, sicke, and lame men were called vpon to get them out of their Cabbins into the Shallop. The Master called to me, who came out of my Cabbin as well as I could, to the Hatch way to speake with him: where, on my knees I besought them, for the loue of God, to remember themselues, and to doe as they would be done vnto. They bad me keepe my selfe well, and get me into my Cabbin; not suffering the Master to speake with me. But when I

came into my Cabbin againe, hee called to me at the Horne, which gaue light into my Cabbin, and told mee that *Iuet* would ouerthrow vs all; nay (said I) it is that villaine *Henrie Greene*, and I spake it not softly.

Now was the Carpenter at libertie, who asked them, if they would bee hanged when they came home: and as for himselfe, hee said, hee would not stay in the Ship vnlesse they would force him: they bad him goe then, for they would not stay him. I will (said hee) so I may haue my chest with mee, and all that is in it: they said, hee should, and presently they put it into the Shallop. Then hee came downe to mee, to take his leaue of mee, who perswaded him to stay, which if he did, he might so worke that all should bee well: hee said, hee did not thinke, but they would be glad to take them in againe. For he was so perswaded by the Master, that there was not one in all the ship, that could tell how to carrie her home; but (saith he) if we must part (which wee will not willingly doe, for they would follow the ship) hee prayed me, if wee came to the Capes before them, that I would leaue some token that wee had beene there, neere to the place where the Fowles bred, and hee would doe the like for vs: and so (with teares) we parted. Now were the sicke men driuen out of their Cabbins into the Shallop; but *Iohn Thomas* was *Francis Clements* friend, and *Bennet* was the Coopers, so as there were words betweene them and *Henrie Greene*, one saying, that they should goe, and the other swearing that they should not goe, but such as were in the shallop should returne. When *Henrie Greene* heard that, he was compelled to giue place, and to put out *Arnold Lodlo*, and *Michael Bute*, which with much adoe they did.

In the meane time, there were some of them that plyed their worke, as if the Ship had beene entred by force, and they had free leaue to pillage, breaking vp Chests, and rifling all places. One of them came

by me, who asked me, what they should doe. I answered, hee should make an end of what hee had begun; for I saw him doe nothing but sharke vp and downe. Now, were all the poore men in the Shallop, whose names are as followeth; *Henrie Hudson*, *Iohn Hudson*, *Arnold Lodlo*, *Sidrack Faner*, *Phillip Staffe*, *Thomas Woodhouse*, or *Wydhouse*, *Adam Moore*, *Henrie King*, *Michael Bute*. The Carpenter got of them a Peece, and Powder, and Shot, and some Pikes, an Iron Pot, with some meale, and other things. They stood out of the Ice, the Shallop being fast to the Sterne of the Shippe, and so (when they were nigh out, for I cannot say, they were cleane out) they cut her head fast from the Sterne of our Ship, then out with their Top-sayles, and towards the East they stood in a cleere Sea. In the end they tooke in their Top-sayles, righted their Helme, and lay vnder their Fore-sayle, till they had ransacked and searched all places in the Ship. In the Hold they found one of the vessels of meale whole, and the other halfe spent, for wee had but two; wee found also two firkins of Butter, some twentie seuen piece of Porke, halfe a bushell of Pease, but in the Masters Cabbin we found two hundred of bisket Cakes, a pecke of Meale, of Beere to the quantitie of a Butt, one with another. Now, it was said, that the Shallop was come within sight, they let fall the Main-sayle, and out with their Top-sayles, and flye as from an Enemy.

Then I prayed them yet to remember themselues: but *William Wilson* (more then the rest) would heare of no such matter. Comming nigh the East shoare they cast about, and stood to the West and came to an Iland, and anchored in sixteene or seuenteene fathome water. So they sent the Boat, and the Net ashoare to see if they could haue a Draught: but could not for Rocks and great stones. *Michael Perce* killed two Fowle, and heere they found good store of that Weede, which we called Cockle-grasse

in our wintering place, whereof they gathered store, and came aboord againe. Heere we lay that night, and the best part of the next day, in all which time we saw not the shallop, or euer after. Now *Henrie Greene* came to me and told mee, that it was the Companies will, that I should come vp into the Masters Cabbin, and take charge thereof. I told him it was more fit for *Robert Iuet:* he said, he should not come in it, nor meddle with the Masters Card, or Iournals. So vp I came, and *Henrie Greene* gaue me the Key of the Masters Chest, and told me then, that he had laid the Masters best things together, which hee would vse himselfe when time did serue: the bread was also delivered me by tale.

The wind seruing, wee stood to the North-east, and this was *Robert Billets* course, contrarie to *Robert Iuet*, who would haue gone to the North-west. We had the Easterne shoare still in sight, and (in the night) had a stout gale of wind, and stood afore it, till wee met with Ice, into the which we ranne from thinne to thicke, till we could goe no further for Ice, which lay so thicke ahead of vs (and the wind brought it after vs asterne) that wee could not stirre backward, nor forward: but so lay imbayed fourteene daies in worse Ice, then euer wee met to deale withall, for we had beene where there was greater store, but it was not so broad vpon the water as this: for this floting Ice contained miles, and halfe miles in compasse, where we had a deepe Sea, and a Tide of flood and ebbe, which set North-west and South-east. Heere *Robert Iuet* would haue gone to the North-west, but *Robert Billet* was confident to go through to the North-east, which he did. At last, being cleere of this Ice, he continued his course in sight of the Easterne shoare, till he raised foure Ilands which lay North and South: but we passed them sixe or seuen leagues, the wind tooke vs so short. Then wee stood backe to them againe, and

came to an Anchor betweene two of the most Northermost. We sent the Boat ashoare, to see if there were any thing there to be had, but found nothing, but cockle Grasse, whereof they gathered store, and so returned aboord. Before we came to this place, I might well see, that I was kept in the ship against *Henry Greenes* minde, because I did not fauour their proceedings better then I did. Then hee began (very subtilly) to draw me to take vpon me to search for those things, which himselfe had stolne: and accused me of a matter no lesse then Treason amongst vs, that I had deceiued the company of thirtie Cakes of bread. Now they began to talke amongst themselues, that *England* was no safe place for them, and *Henry Greene* swore, the shippe should not come into any place (but keepe the Sea still) till he had the Kings Majesties hand and Seale to shew for his safetie. They had many deuices in their heads, but *Henry Greene* in the end was their Captaine, and so called of them.

From these Ilands we stood to the North-east and the Easter Land still in sight: wee raysed those Ilands, that our Master called *Rumnies* Ilands. Betweene these Ilands and the shallow ground to the East of them, our Master went downe into the first great Bay. We kept the East shoare still in our sight, and comming thwart of the low Land, wee ranne on a Rocke that lay vnder water, and strooke but once; for if shee had, we might haue beene made Inhabitans of that place: but God sent vs soone off without any harme that wee saw. Wee continued our course and raysed Land a head of vs, which stretched out to the North: which when they saw, they said plainly, that *Robert Billet* by his Northerly course had left the Capes to the South, and that they were best to seeke downe to the South in time for reliefe, before all was gone: for we had small store left. But *Robert Billet* would follow the Land to the North, saying, that he hoped in God to find

somewhat to releeue vs that way, as soone as to the South. I told them that this Land was the Mayne of *Worsenhome* Cape, and that the shallow rockie ground, was the same that the Master went downe by, when he went into the great Bay. *Robert Iuet* and all said, it was not possible, vnlesse the Master had brought the ship ouer Land, and willed them to looke into the Masters Card, and their course how well they did agree. We stood to the East, and left the mayne Land to the North, by many small Ilands into a narrow gut betweene two Lands, and there came to an Anchor. The Boat went ashoare on the North side, where wee found the great *Horne*, but nothing else. The next day wee went to the South side, but found nothing there, saue Cockle grasse of which we gathered. This grasse was a great releefe vnto vs, for without it, we should hardly haue got to the Capes for want of victuall. The wind seruing we stood out, but before we could get cleane out, the wind came to the West, so that we were constrayned to anchor on the North side.

The next day, wee weighed and doubled the point of the North Land, which is high Land, and so continueth to the Capes, lying North and South, some fiue and twentie or thirtie leagues. To the North we stood to see store of those Fowles that breed in the Capes, and to kill some with our shot, and to fetch them with our Boat. We raised the Capes with ioy, and bare for them, and came to the Ilands that lie in the mouth of the streight: but bearing in betweene the Rockie Iles, we ranne on a Rocke that lay vnder water, and there stucke fast eight or nine houres. It was ebbing water when we thus came on, so the floud set vs afloat, God guiding both wind and Sea, that it was calme, and faire weather: the ebbe came from the East, and the floud from the West. When wee were afloat, wee stood more neere to the East shoare, and there anchored.

The next day being the seuen and twentieth of Iuly, we sent the Boat to fetch some Fowle, and the ship should way and stand as neere as they could: for the wind was against vs. They had a great way to row, and by that meanes they could not reach to the place where the Fowle bred: but found good store of *Gulls*, yet hard to come by, on the Rocks and Cliffes, but with their Peeces they killed some thirtie, and towards night returned. Now we had brought our ship more neere to the mouth of the Streights, and there came to an anchor in eighteen or twentie fathom water, vpon a Riffe or shelfe of ground: which after they had weighed their Anchor, and stood more neere to the place where the Fowle bred, they could not find it againe, nor no place like it: but were faine to turne to and fro in the mouth of the Streight, and to be in danger of Rockes, because they could not find ground to let fall an Anchor in, the water was so deepe.

The eight and twentieth day, the Boat went to *Digges* his Cape for Fowle, and made directly for the place where the Fowle bred, and being neere, they saw seuen Boates come about the Easterne point towards them. When the Sauages saw our Boate, they drew themselues together, and drew their lesser Boats into their bigger: and when they had done, they came rowing to our Boat, and made signes to the West, but they made readie for all assayes. The Sauages came to them, and by signes grew familiar one with another, so as our men tooke one of theirs into our Boate, and they tooke one of ours into their Boate. Then they carried our man to a Coue where their Tents stood toward the West of the place, where the Fowle bred: so they carried him into their Tents, where he remayned till our men returned with theirs. Our Boat went to the place where the Fowle bred, and were desirous to know how the Sauages killed their Fowle: he shew-

ed them the manner how, which was thus, They take a long Pole with a snare at the end, which they put about the Fowles necke, and so plucke them downe. When our men knew that they had a better way of their owne, they shewed him the vse of our Peeces, which at one shot would kill seuen or eight. To be short, our Boat returned to their Coue for our man, and to deliuer theirs. When they came they made great joy, with dancing and leaping, and stroking of their breasts: they offered diuers things to our men, but they only tooke some Morses Teeth, which they gaue them for a Knife, and two glasse buttons: and so receiuing our man they came aboard, much rejoycing at this chance, as if they had met with the most simple and kind people of the World.

And *Henry Greene* (more then the rest) was so confident, that (by no meanes) we should take care to stand vpon our Guard: God blinding him so, that where hee made reckoning to receiue great matters from these people, he receiued more then he looked for, and that suddenly by being made a good example for all men: that make no conscience of doing euill, and that we take heed of the Sauage people, how simple soeuer they seeme to be.

The next day, the nine and twentieth of Iuly, they made haste to be ashoare, and because the ship rid too farre off, they weighed and stood as neere to the place where the Fowle bred, as they could: and because I was lame, I was to go in the Boat, to carrie such things, as I had in the Cabbin of euery thing somewhat: and so with more haste then good speed (and not without swearing) away we went, *Henry Greene*, *William Wilson*, *Iohn Thomas*, *Michael Perce*, *Andrew*, *Moter*, and my selfe. When we came neere the shoare, the people were on the Hils, dancing and leaping: to the Coue we came, where they had drawne vp their Boates: wee brought our Boate to the East side of the Coue, close to the

Rockes. Ashoare they went, and made fast the Boat to a great stone on the shoare, the people came, and euery one had somewhat in his hand to barter: but *Henry Greene* swore they should haue nothing, till he had Venison, for that they had so promised him by signes.

Now when we came, they made signes to their Dogges (whereof there were many like Mongrels, as bigge as Hounds) and pointed to their Mountaine, and to the Sunne, clapping their hands. Then *Henry Greene*, *Iohn Thomas*, and *William Wilson*, stood hard by the Boate head, *Michael Perce*, and *Andrew Moter* were got vp vpon the Rocke, a gathering of Sorrell: not one of them had any weapon about him, not so much as a sticke, saue *Henry Greene* only, who had a piece of a Pike in his hand: nor saw I any thing that they had wherewith to hurt vs. *Henry Greene* and *William Wilson* had Looking-glasses, and Iewes Trumps, and Bels, which they were shewing the people. The Sauages standing round about them, one of them came into the Boats head to me to shew me a Bottle: I made signes to him to get him ashoare, but he made as though he had not vnderstood me, whereupon I stood vp, and pointed him ashoare. In the meane-time, another stole behind me to the sterne of the Boat, and when I saw him ashoare, that was in the head of the Boat, I sate downe againe: but suddenly I saw the legge and foote of a man by mee. Wherefore I cast vp my head, and saw the Sauage with his Knife in his hand, who strooke at my brest ouer my head: I cast vp my right arme to saue my brest, he wounded my arme, and strooke me into the bodie vnder my right Pappe. He strooke a second blow which I met with my left hand, and then he strooke me into the right thigh, and had like to haue cut off my little finger of the left hand. Now, I had got hold of the string of the Knife, and had woond it about my left hand, he striuing with both his hands, to

make an end of that he had begune, I found him but weake in the gripe (God enabling me) and getting hold of the sleeue of his left arme, so bare him from me. His left side lay bare to me, which when I saw, I put his sleeue off his left arme into my left hand, holding the string of the Knife fast in the same hand: and hauing got my right hand at libertie, I sought for somewhat wherewith to strike him, (not remembring my Dagger at my side) but looking downe I saw it, and therewith strooke him into the bodie, and the throate.

Whiles I was thus assaulted in the Boat, our men were set vpon on the shoare. *Iohn Thomas* and *William Wilson* had their bowels cut, and *Michael Perce* and *Henry Greene* being mortally wounded, came tumbling into the Boat together. When *Andrew Moter* saw this medley, hee came running downe the Rockes, and leaped into the Sea, and so swamme to the Boat, hanging on the sterne thereof, till *Michael Perce* tooke him in, who manfully made good the head of the Boat against the Sauages, that pressed sore vpon vs. Now *Michael Perce* had got an Hatchet, wherewith I saw him strike one of them, that he lay sprawling in the Sea. *Henry Greene* crieth *Coragia*, and layeth about him with his Truncheon: I cryed to them to cleere the Boat, and *Andrew Moter* cryed to bee taken in: the Sauages betooke them to their Bowes and Arrowes, which they sent amongst vs, wherewith *Henry Greene* was slaine out-right, and *Michael Perce* receiued many wounds, and so did the rest. *Michael Perce* cleereth the Boate, and puts it from the shoare, and helpeth *Andrew Moter* in: but in turning of the Boat, I receiued a cruell wound in my backe with an Arrow. *Michael Perce* and *Andrew Moter* rowed the Boate away, which when the Sauages saw, they ranne to their Boats, and I feared they would haue launched them, to haue followed vs, but they did

not, and our ship was in the middle of the channell, and could not see vs.

Now, when they had rowed a good way from the shoare, *Michael Perce* fainted, and could row no more: then was *Andrew Moter* driuen to stand in the Boat head, and waft to the ship, which (at the first) saw vs not, and when they did, they could not tel what to make of vs, but in the end they stood for vs, and so tooke vs vp. *Henry Greene* was throwne out of the Boat into the Sea, and the rest were had aboard, the Sauage being yet aliue, yet without sense. But they died all there that day, *William Wilson* swearing and cursing in the most fearefull manner: *Michael Perce* liued two dayes after, and then died. Thus you haue heard the Tragicall end of *Henry Greene* and his Mates, whom they called Captaine, these foure being the only lustie men in all the ship.

The poore number that was left, were to ply our ship to and fro, in the mouth of the streight, for there was no place to anchor in neere hand: besides, they were to goe in the Boate to kill Fowle, to bring vs home, which they did, although with danger to vs all. For if the wind blew, there was an high Sea, and the eddies of the Tydes would carrie the ship so neere the Rockes, as it feared our Master, for so I will now call him. After they had killed some two hundred Fowle, with great labour on the South Cape, wee stood to the East: but when wee were sixe or seuen leagues from the Capes, the wind came vp at East. Then wee stood backe to the Capes againe, and killed an hundred Fowle more. After this, the wind came to the West, so wee were driuen to goe away, and then our Master stood (for the most) along by the North shoare, till he fell into broken ground about the *Queenes Fore-land*, and there anchored. From thence wee went to *Gods Mercies*, and from thence to those Ilands, which lye in the mouth of our Streight, not seeing the Land,

till we were readie to runne our Bosprite against the Rockes in a fogge. But it cleered a little, and then we might see our selues inclosed with Rockie Ilands, and could find no ground to anchor in. There our Master lay a trie all night, and the next day the fogge continuing, they sought for ground to anchor in, and found some in an hundred and odde fathomes of water. The next day we weighed and stood to the East, but before wee came heere, we had put our selues to hard allowance, as halfe a foule a day with the pottage: for yet we had some meale left, and nothing else. Then they beganne to make triall of all whatsoeuer: wee had flayed our Fowle, for they wil not pull: and *Robert Iuet* was the first, that made vse of the skins by burning of the Feathers: so they became a great dish of meate, and as for the garbidge, it was not throwne away.

After we were cleere of these Ilands, which lie out with two points, one to the South-east, and the other to the North, making a Bay to the sight as if there were no way through, we continued our course East South-east, and South and by East, to raise *the Desolations*, from thence to shape our course for *Ireland*. Thus we contiued diuers dayes: but the wind comming against vs, made vs to alter our course, and by the meanes of *Robert Iuet* who perswaded the company, that they should find great reliefe in *Newfound Land*, if our Country-men were there, and if they were gone before we came, yet should we find great store of bread and fish left ashoare by them: but how true, I giue God thankes, we did not trie. Yet we stood to the South-west, and to the West, almost to fiftie seuen degrees: when (by the will of God) the winde came vp at South-west. Then the Master asked me, if he should take the benefit of this wind, and shape his course for *Ireland*. I said it was best to goe, where we knew Corne grew, and not to seeke it, where it was cast away, and not to be found. Towards *Ire-*

land now wee stood, with prosperous winds for many dayes together: then was all our Meale spent, and our Fowle restie and dry: but (being no remedie) we were content with the Salt broth for Dinner, and the halfe Fowle for Supper. Now went our Candles to wracke, and *Bennet* our Cooke made a messe of meate of the bones of the Fowle, frying them with Candle-grease, till they were crispe, and with Vineger put to them, made a good dish of meate. Our Vineger was shared, and to euery man a pound of Candles deliuered for a weeke, as a great daintie. Now *Robert Iuet* (by his reckoning) saith, wee were within sixtie or seuentie leagues of *Ireland*, when wee had two hundred thither. And sure our course was so much the longer, through our euill steeredge: for, our men became so weake, that they could not stand at the Helme, but were faine to sit.

Then *Robert Iuet* dyed, for meere want, and all our men were in despaire, and said wee were past *Ireland*, and our last Fowle were in the steep-tub. So, our men cared not which end went forward, insomuch as our Master was driuen to looke to their labour, as well as his owne: for some of them would sit and see the fore-sayle, or mayne-sayle flie vp to the tops, the sheets being either flowne or broken, and would not helpe it themselues, nor call to others for helpe, which much grieued the Master. Now in this extremitie it pleased God to giue vs sight of Land, not farre from the place our Master said he would fall withal, which was the Bay of *Galloway*, and we fell to the West of the *Derses*, and so stood along by the coast, to the South-west. In the end, there was a joyful cry, a sayle, a sayle, towards which they stood, then they saw more, but to the neerest we stood, and called to him: his Barke was of *Fowy*, and was at anchor a Fishing: he came to vs, and brought vs into *Bere* Hauen. Here we stayed a few dayes, and delt with the *Irish*, to supply our wants, but found no reliefe: for in this place there was

neither Bread, Drinke, nor mony to be had amongst them. Wherfore they aduised vs to deale with our Country-men, who were there a fishing, which we did: but found them so cold in kindnesse, that they would doe nothing without present money, whereof we had none in the Ship. In the end, we procured one *Iohn Waymouth*, Master of the Barke that brought vs into this Harbour, to furnish vs with money, which hee did, and receiued our best Cable and Anchor in pawne for the same. With this money, our Master with the helpe of *Iohn Waymouth*, bought Bread, Beere, and Beefe.

Now, as wee were beholding to *Waymouth* for his money, so were wee to one Captaine *Taylor*, for making of our contracts with *Waymouth*, by whose meanes hee tooke a Bill for our Cable and Anchor, and for the mens Wages, who would not goe with vs, vnlesse *Waymouth* would passe his word for the same: for they made shew, that they were not willing to goe with vs for any wages. Whereupon Captaine *Taylor* swore he would presse them, and then, if they would not goe, hee would hang them.

In conclusion, wee agreed for three pound ten shillings a man, to bring our Ship to *Plimouth*, or *Dartmouth*, and to giue the Pilot fiue pound: but if the winde did not serue, but that they were driuen to put into *Bristow*, they were to haue foure pound ten shillings a man, and the Pilot sixe pound.— Omitting therefore further circumstances, from *Bere* Hauen wee came to *Plimouth*, and so to an anchor, before the Castle: and from *Plimouth*, with faire winde and weather without stop or stay, wee came to the *Downes*, from thence to *Grauesend*, where most of our men went a shoare, and from thence came on this side *Erith*, and there stopped: where our Master *Robert Billet* came aboord, and so had mee vp to *London* with him, and so wee came to Sir *Thomas Smiths* together.

Forasmuch as this report of *Pricket* may happely bee suspected by some, as not so friendly to *Hudson*, who returned with that Companie which had so cruelly exposed *Hudson* and his, and therefore may seeme to lay heauier imputation, and rip up occasions further then they will beleeue; I haue also added the report of *Thomas Wydhouse*, one of the exposed Companie, who ascribeth those occasions of discord to *Iuet*. I take not on mee to sentence, no not to examine; I haue presented the Euidence iust as I had it? let the Bench censure, hearing with both eares, that which with both eyes they may see in those, and these notes; to which, I haue first prefixed his Letter to Master *Samuel Macham*.

MASTER MACHAM, I heartily commend mee vnto you, &c. I can write vnto you no newes, though I haue seene much, but such as euery *English* Fisherman haunting these Coasts can report better then my selfe.

Wee kept our Whitsunday in the North-east end of *Island;* and I thinke I neuer fared better in *England* then wee feasted there. They of the Countrey are very poore, and liue miserably; yet we found therein store of fresh Fish and daintie Fowle. I my selfe in an after-noone killed so much Fowle, as feasted all our Companie, being three and twentie persons at one time, onely with Partridges; besides Curlue, Plouer, Mallard, Teale, and Goose. I haue seene two hot Bathes in *Island*, and haue beene in one of them. Wee are resolued to trie the vttermost, and lye onely expecting a faire winde, and to refresh our selues to auoyd the Ice, which now is come off the West Coasts, of which wee haue seene whole

Ilands, but God bee thanked, haue not beene in danger of any. Thus I desire all your prayers for vs. From *Island* this thirtieth of May, 1610.

A note found in the Deske of Thomas Wydowse, *Student in the Mathematickes, hee being one of them who was put into the Shallop.*

THE tenth day of September, 1610, after dinner, our Master called all the Companie together, to heare and beare witnesse of the abuse of some of the Companie (it hauing beene the request of *Robert Iuet*) that the Master should redresse some abuses and slanders, as hee called them, against this *Iuet:* which thing after the Master had examined and heard with equitie what hee could say for himselfe, there were prooued so many and great abuses, and mutinous matters against the Master, and action by *Iuet*, that there was danger to haue suffred them longer: and it was fit time to punish and cut off farther occasions of the like mutinies.

It was prooued to his face, first with *Bennet Mathew* our Trumpet vpon our first sight of *Island*, and he confest, that hee supposed that in the action would bee man-slaughter, and proue bloodie to some.

Secondly, at our comming from *Island*, in hearing of the companie, hee did threaten to turne the head of the Ship home from the action, which at that time was by our Master wisely pacified, hoping of amendment.

Thirdly, it was deposed by *Philip Staffe* our Carpenter, and *Ladlie Arnold*, to his face vpon the holy Bible, that hee perswaded them to keepe

Muskets charged, and Swords readie in their Cabbins, for they should bee charged with shot, ere the Voyage were ouer.

Fourthly, wee being pestered in the Ice, hee had vsed words tending to mutinie, discouragement, and slander of the action, which easily tooke effect in those that were timorous; and had not the Master in time preuented, it might easily haue ouerthrowne the Voyage: and now lately being imbayed in a deepe Bay, which the Master had desire to see, for some reasons to himselfe knowne, his word tended altogether to put the Companie into a fray of extremitie, by wintering in cold: Iesting at our Masters hope to see *Bantam* by Candlemasse.

For these and diuers other base slanders against the Master, hee was deposed; and *Robert Bylot*, who had shewed himselfe honestly respecting the good of the action, was placed in his stead the Masters Mate.

Also *Francis Clement* the Boatson, at this time was put from his Office, and *William Wilson*, a man thought more fit, preferred to his place. This man had basely carryed himselfe to our Master and to the action.

Also *Adrian Mooter* was appointed Boatsons mate: and a promise by the Master, that from this day *Iuets* wages should remaine to *Bylot*, and the Boatsons ouerplus of wages should bee equally diuided betweene *Wilson* and one *Iohn King*, to the owners good liking, one of the Quarter Masters, who had very well carryed themselues to the furtherance of the businesse.

Also the Master promised, if the Offenders yet behaued themselues henceforth honestly, hee would bee a meanes for their good, and that hee would forget iniuries, with other admonitions.

These things thus premised touching *Hudsons* exposing, and Gods iust iudgments on the Exposers, as *Pricket* hath related (whom they reserued as is

thought, in hope by Sir *Dudley Digges* his Master to procure their pardon at their returne) I thought good to adde that which I haue further receiued from good Intelligence, that the Ship comming aground at *Digges* Iland, in 62 degrees 44 minutes, a great flood came from the West and set them on afloate: an argument of an open passage from the South Sea to that, and consequently to these Seas. The Weapons and Arts which they saw, beyond those of other Sauages are arguments hereof. Hee which assaulted *Pricket* in the Boate, had a weapon broad and sharpe indented of bright Steele (such they vse in *Iaua*) riueted into a handle of Morse tooth.

[The following Documents are collected from the second volume of the very valuable "HISTORICAL COLLECTIONS," by EBENEZER HAZARD, Esquire. As they relate to the early history of New-York, and are there scattered through the "Records of the United Colonies of New England," which have not been so extensively read as they deserve to be; it was supposed that the readers of this Volume would be gratified to see them brought into one view. It is deeply to be regretted that the materials for compiling that part of the History of New-York which relates to the Dutch Colonial Government, are so few and meager. Persons who possess any documents, even the smallest scraps, which can be made to shed a ray of light on that period, will render an important public service by communicating them to the Historical Society.]

THE Comissioners of Connecticute complayned of seueral insolencies and iniuries with an high hand lately committed and mayntained by the Dutch agent, and some of his family to the Disturbance of the peace there; and a protest lately sent by the Dutch Governoure against New Haven, with the answer returned were read. The Protest was written in Latine, the contents in English was as followeth.

We William Kieft generall Director, and the Senate of New Netherlands for the high and mighty Lords the States of the Vnited Belgicke Provinces, for his Excellency the Prince of Orange, and for the most noble Lords, the Administrators of the West India Company to thee Theophilus Eaton Governoure of this place, by vs called the Red Hills in New Netherland, but by the English called New Haven, we give notice that some years past, yours (without any occasion given by vs, and without any necessity imposed vpon them, but with an unsatiable desire of possessing that which is ours, against our protestations, against the law of Nations, and the auncient league the Kings Majesty of greate Britaine, and our superiours) haue indirectly entered the limitt of New Netherland, vsurped diuerse places in them, and

haue bene very injurious vnto vs, neither haue they given satisfaccon though oft required: And becanse you and yours haue of late determined to fasten your foote neare Mauritius River in this Proviuce, and there not onely to disturb onr trade (of noe man hitherto questioned) and to draw it to yourselues, but vtterly to destroy it, were compeled againe to Protest, and by these presents doe protest against you as against breakers of the peace, and disturbers of the publicke quiet, That if you do not restore the places you haue vsurped, and repaire the losse we haue suffered, we shall by such meanes as God affoords, manfully recover them. Neither doe we thincke this crosseth your publicke peace but shall cast the cause of the ensuinge euill vpon you. Given in Amsterdam forte August 3. 1646 Newstile.

WILLIAM KIEFT.

The Answere was returned in Latine to the said protest the Contents as followeth.

To the Right Worshipfull WILLIAM KIEFT *Gouernoure of the Dutch in* NEW NETHERLAND.

SIR,

BY some of yours I haue receaued a Protest vnder yonr hand Dat. Aug. 3. 1646 wherein you pretend we haue indirectly entered the limits of New Netherland, vsurped diuerse places in them, and haue offred you many injuries, Thus in generall, and in reference to some yeare past, more particulerly that to the disturbance, nay to the vtter destruction of your trade, we haue lately set foote neare Mauritius Riuer in that province &c.

We doe truely professe we know noe such Riuer, nor can conceiue what Riuer you intend by that name vnlesse it be that which the English haue longe and still doe call, Hudson's Riuer. Nor haue we at any

time formerly or lately entred vpon any place to which you had, or haue any knowne title, nor in any other respect beene injurious to you. It is true we haue lately vpon Pawgusett Riuer, which falls into the sea in the midst of the English Plantations, built a small house within our owne limits, many miles nay leagues from the Manhattoes from your tradinge house and from any porte of Hudson's River, at which we expect little trade but can compell none, the Indians beinge free to trade with you, vs, Connecticute, Mattachusetts, or with any others: nor did we build there till we had first purchased a due title from the true proprietors: what injuries and outrages in our persons and estates at the Manhattoes in Delawar River &c. we haue receiued from you, our former letters and protest doe both declare and proue to all which you have hitherto given very vnsatisfyinge answeres: But whatever our losses and sufferinge haue beene, we conceiue we haue neither done, nor returned any thinge euen vnto this day, but what doth agree with the law of God, the law of Nations, and with that ancient confederation and amity betwixt our Superiours at home, soe that we shall readily refer all questions and difference betwixt you and vs euen from first to last to any due examination and iudgement, either heere or in Europe and by these presents doe refer them, being well assured that his Majesty our soueraigne Lord Charles Kinge of greate Britaine and the Parliament of England now assembled will maintaine their owne right and our iust liberties against any who by vnjust encrochment shall wronge them or theirs, and that your owne Principalls vpon a due and mature consideration will also see and approue the righteousnes of our proceedings.

T. E.

New Haven in New England August 12*th* 1646. *old stile.*

The premisses being duly considered both in reference to Hartford and New Hauen the Commissioners thought fitt to expresse their apprehentions in writinge to the Dutch Gouernor in latine but the Contents as followeth.

To the Right Worshipful WILLIAM KIEFT, *Gouernor* &c.

SIR,

VPON a due consideration how peace (a choice blessinge) may be continued, we are carefull to enquire and search into those differences and offences soe longe continued betwixt some of our confederates and your selues: it is neare 3 yeares since the Governor of the Mattachusets by consent and advice of the Counsell of that Colony, did particularly propounde to your consideration sundry injurious and vnworthy passages done by your Agent vpon the fresh Riuer, and some of his family vpon our brethren at Hartford to all which you returned an Ignoramus with an offensiue addicon which we leaue to a Review and better consideration, what inquiry and order you after made and tooke to suppresse such miscarriages for the future, we haue not heard, but certainly your Agent, and his company are now growne to a strange and vnsufferable bouldnes (we hope without comission) An Indian Captiue liable to publicke punishment fled from her Master at Hartford is entertayned in your house at Hartford, and though required by the magistrate is vnder the hands of your Agent there denyed, and we heare she is either marryed, or abused by one of your men: Such a servant is parte of her master's estate, and a more considerable part then a beast, our children will not longe be secure if this be suffered: your Agent himselfe in height of disorder and contempt of authority, resists the watch at Hartford, drawes and breakes his rapier vpon their

weapons and by flight escapes, had he bene slaine in this proude affront, his bloud had beene vpon his owne head: Lastly to passe by other particulars, some of your horses being pownded for damage done in the English Corne, your Agent and 4 more made an assault, and stroke him who legally sought justice, and in an hostile way tooke away his teame and laden.

We have also seene a Protest of yours Dat. Aug. 3. 1646 New stile, against our Confederates of New Haven with their Answer Dat. Aug. 12th. and deliuered to leiftenant Baxtey your messenger: vpon our most serious consideration of the contents togeither with their title heere held forth, we conceiue their Answere fayre and just; and hope it will cleare their proceedings, and giue you full satisfaction, yet to prevent all inconveniences which may grow by any part of the premises, we haue sent this bearer, by whome we desire such a returne as may testify your concurrence with vs to embrace and pursue righteousnes and peace.

Vpon information that the Dutch Governor in a letter to the Governor of the Mattachusets chargeth Mr. Whitinge, one of the Magistrates of Connecticut that at the Manhattoes he should say The English were fooles to suffer the Dutch to liue there, Mr. Whitinge vpon other occasions beinge nowe at New Haven the Comissioners enquired of him what had passed betwixt him and the Dutch Governoure or him and others at the Manhattoes, end therevpon in English wrote another letter to the Dutch Governoure as followeth:

SIR,

SINCE your former dated the fifth of this present we haue spoken with Mr. Whitinge concerninge words you chardge him with in your letter to the

Governoure of the Mattachusets, he professeth he neither remembereth nor knoweth any such words spoken by him, and we could wish that all such provokinge and threatninge language might be forborne on both parts, as contrary to that peace and neighbourely correspondency which we desire sincerely to preserue betwixt the 2 nations. Mr. Whitinge complaines of a sentence lately passed against him in his absence at the Manatoes, when he had noe agent there to pleade to his cause, or to giue in his evidence, and that demandinge a just debt long since due from some of yours, he receiued neither that help of justice from your selfe nor soe faire an answere as the cause required and he expected, we are assured you will both grante him a review in the former and free passage for recoveringe debts as all the Colonies will readily doe to any of yours in our Courts, yf in your answere to our former you will please to adde a word or two concerninge the premises, it may settle a right understandinge betwixt vs, we rest yours, &c.

September 7th. 1646. *old style.*

Both those letters were sent by Leiftenant Godfrey a messenger to the dutch Governoure the same day.

September 15th lieftenant Godfrey returned Manattchoes and brought 2 letters from the dutch Governoure, the one in latine, the other in English, the latine translated hath these contents.

To the most noble and worthy Comissioners of the federated English met togeither at the Red Mounte, or Newhaven in New Netherlands, Wm. Keift Director and the Senate of New Netherland doe send many salutations.

YOURS dated the 5th September, old style, we receaued the 21. new style, by your messenger to

which we thincke sufficient to giue this short answere.

That the Inhabitants of Hartford haue deceiued you with false accusations as were easy to be euidenced by us if it were now seasonable to produce our allegations which we can proue to be true by diuerse attestations as well of your owne Country men, as ours, togeither with other authenticke writinge, but that we may not seeme to be willing to evade you with vaine words, we shall at this time present you a few particulars, out of soe greate an heap, as by the claw you may iudge of the talants of the lyon, and therefore passinge by their vsurpinge of our jurisdiccon, and of our proper grounde against possession solemnly taken by us, and our protestacons formerly made, we doe say, that the bloude of our Country men wrongfully shed by the inhabitants of Hartford, and the sellinge of our domesticke beasts by them, doe sufficiently testify the equity of their proceedings and therefore your prejudgement supported by this Oath Creto Coxtius, as if you should say Amen, Amen, seemes wonderful to vs, and done contrary to the modesty requisite in such an Assemblie, who should allwaies keepe one eare for the other party.

Soe far as concernes the Barbarian handmaide although it be apprehended by some that she is no slaue but a free woman, because she was neither taken in war nor bought with price, but was in former time placed with me by her parents for education, yet we will not suffer her to be wrongfully detayned, but wither he shall pay the damadge to her Mr. or she shal be restored to him we will not suffer him that desires her for his wife to marry her, vntill she be lawfully baptised. Concerning the breaking in of our Agent vpon the watch at Hartford we truely conceiue that watches are appointed for the defence of townes against the violence of enemies, and not for the hinderinge of friends returne to their owne houses, and therefore least mischeifes happen, it were good to committ such a trust to skilfull men,

and not to ignorant boyes who when they once finde themselues loaden with armes, thinke they may alsoe lawfully cry out *etiam nos poma natamus.*

Certainely when we heare the Inhabitants of Hartford complayninge of vs, we seeme to heare Esops wolfe complayninge of the lamb, or the admonition of the younge man who cryed out to his mother chideinge with her neighboures, oh mother revile her, least she first take vp that practise against you: But being taught by precedent passages we received such an answer to our Protest from the inhabitants of Newhaven as we expected, the Eagle allwaies despiseth the Beetle fly, yet notwithstandinge we doe vndauntedly continue in our purpose of pursueinge our owne right by just armes and righteous meanes, and doe hope without scruple to execute the expresse commands of our superiours.

To conclude we protest against all you Comissionioners mett at the Red Mounte as against breakers of the comon league, and alsoe infringers of the speciall right of the Lords, the States our superiours, in that ye have dared without expresse Comission to hould your generall meetinge within the limits of New Netherlande, these things are spoken from the Duty of our place, in other respects we are yours.

WILLIAM KEIFT,
By commande of the Lord
Director and Senate,
CORNE: TMHAVEIUS.

Amsterdam fort, in New Netherland the 22. Sept. 1646.

The other letter wrote in English was as followeth.

WORTHY GENTLEMEN,

YOURS of the 7th Sebtemb: I haue received wherein you are pleased to mention your speakinge with Mr. Whitinge concerneinge some words spoken by him and mentioned in my letter to my honoured

friend Mr. Winthropp Governour of the Mattachusets, what I haue there charged him with I haue it under good testimony of his owne country men however, I shall rather ympute it to his present passion then any premeditated resolucon and alltogeither forgett it. Your honourable desires that all occasions of Discontentments may be remoued by the forbearinge of all threatninge and provokinge language on both sides, and that the sun of peace may more clearly shine among vs, I both applaude and desire.

Whereas likewise you mention Mr. Whitinge's complaint concerning a sentence of Corte passed here against him in his absence and without any Attorney to pleade for him, I cannot but apprehend it as a greate injury to myselfe in particular, but chiefly to you gentlemen that he should soe misinforme you, for in the first place he left Mr. Dolling for his Agent, who pleaded his cause for him, and what proces was then and there awarded with the reasons and grounds inducinge vs, if he had produced the Copy of the Sentence of Corte vnder our Secretary's hand, I suppose you would haue beene very well satisfyed. Yet if he can further cleare the said cause by better Evidence I shall willingly graunte a review, and doe that which is just according to that light God giues me.

Concerninge debts due to him from any here, I shall according to justice and the law of our country doe him right.

Whereas I vnderstand their is somethinge pretended to be due to him from our Agent Mr. Dauid Provost, I suppose our said Agent shall giue such fayre satisfaction to Mr. Hopkins, or Mr. Haynes in the said cause, that it wilbe clearly demonstrated to them, that it is more pretence then a just due soe Gentlemen I shall take my leave of you and rest

Yours in all offices of loue

WM. KEIFT.

Fort Amsterdam, 22th. of Sept. 1646. *S. N.*

To these letters the Comissioners thought meete to returne this ensueing answere.

SIR,

WE haue lately receiued by our messenger, 2 letters from you, the one in English, the other in Latine, of the former though we close not in each particular, we can in generall make a further construccon, in the latter we must professe our selues much vnsatisfyed, some particulars, or the weight in them, you leaue vntouched in some you are misinformed: the Indyan mayde was taken in war and for late miscarriages of a publicke nature, was subject to the justice of the place, she flyes, is receaued at your house and detayned both from her Master and from the Magistrate, as by a writinge vnder the hands of your deputyes may appeare, and from your Agent we are informed that one of yours hath abused and defiled her, such a practice we should condemne in one of ours with any vnmarryed much more with an vnbaptised Indyan: what order you haue taken that she be returned, what satisfaction you for this wronge we heare not, we conceiue watches are in all places set to prevent inconveniences and mischiefs which may be done by enemies, or disorderly persons, and in all places a sober and comely answere expected, he that shall draw and breake his weapon vpon a watch, neither attends his duty nor safety. Your Agent and 4 more came in an hostile manner, assaulted, strike and take away the teame and ladinge from a man peaceably following his occasions, who had onely legally sought satisfaction for damadge, to this you returne no answere, Vpon our second thought we conceiue these things to be vndoubtedly true, and to be vnsufferable disorders, we thought you ouerstraine in exceptinge against that phrase (most certainely) and that without wronge to yourselfe you might haue spared that chardg of ymodesty, we

conceiue you will hardly proue either by witnesses or writinge that our Confederas of Hartford haue deceiued vs by false complaints for your other expressions, prouerbs or allusions, we leaue them to your better consideration you might indeed expect a faire and iust answere from our Confederats of New Hauen which we did and doe hope will giue you satisfaction, either here or in Europe, but we shall waite the yssue. Your conclusion though it seeme harsh to vs, agrees with your premises, and that we say no more, we haue more cause to protest against your protestation, then you haue to be offended at our bouldenes in meeting at Newhauen, and for ought we know, may shew as good Comission for the one, as you for the other, But our iust liberties being preserued we rest yours &c.

A writinge beinge presented by Seargeant Collicut to the Comissioners in the nature of a petition wherein they complaine against the Dutch and Sweeds for seuerall greevances and in particular for high Customes imposed vpon them at the Manatoes, and for a disorderly trade in selling guns, powder and shott to the Indyans &c. The Comissioners thought fitt to write to the Dutch Governoure as followeth:

HONOURED SIR,

WE jointly congratulate your arivall and enterance to the gouernment at Manatoes &c. hoping all the English Colonies shall enjoy within your limits all the fruites of a neigbourly and freindly correspondency in a free concourse and intercourse as yours haue and shall doe in all our ports and harbours: some things presented to vs we shall present to your consideration, first we heare of a dangerous liberty taken by many of yours in selling guns, powder, shott and other instruments of warr to the Indians not onely at your forte Aurania (though wee con-

ceiue that trade there driven is very unsafe both for yourselues and vs but at long Island within the River of Connecticut at the Narragansetts and other places within the English Jurisdictions. And though possibly you haue good lawes to suppresse soe mischeevous a trade, yet soe stronge is the temptation by an excessiue gaine arising thence that without a constant care and severe execution (as we finde by daylie experience) the inconvenience cannot be removed, but the meanes we leaue to your owne wisdome and iudgment. Secondly we heare of an high Custome, excise or recognition demanded and taken for all goods sold within your Jurisdictions, not onely of your owne people, but of the English, with heavy fines, and seisures, and seisures for omissions or misse entries to the hinderance of trade and the discouragement of our marchants, whereas hitherto all our harbours haue beene open and free to yours without any such burdens and hassards, We entreate from you therefore in a few lines a perfect information of what Customes &c. you require with the growndes of the same both for goods imported and sould, and for beaver, mouse, and for other comodities exported, and in what cases you impose fines and make seisures, that we may enforme our marchants, and steere a course accordingly, with our due respects to yourselfe and the late governoure Mondsier Kieft we rest

Your lovinge Freinds the Commissioners
Of the vnited Colonies.

Bostone in the Massachusetts the
17*th. of* 6 *moneth* 1647.

The foregoinge Conclusions were agreed and subscribed by the Comissioners the 17th of the 6th Moneth 1647.

EDWARD HOPKINS — THO. DUDLEY, President.
JOHN MASONE — JOHN ENDECOTT
THEOPHILUS EATON — WM. BRADFORD
STEPHEN GOODYEARE — JOHN BROWNE.

Vpon the Informacion and Complainte of Mr. Will. Westerhouse a duch marchant (Liueing at, and a planter in Newhauen) Conserneing the duch Gouernor takeing away his shippe from him whilest shee was rideing at Anker in Newhauen Harbour Intreateing advice of and helpe from the Comissioners thearein: this insewing Answer was returned:

Mr. William Westerhouse

THE Comissioners for the Vnited Colonies haue Considered what you haue propounded by way of advice and helpe, Conserneing your Shippe and goods Seized by the duch Gouernor in Newhauen harbour: But they doe not yet heare, what the duch Gouernor can Chardg, nor vpon what grounds hee made that seizure; if hee haue nothing to pretend or alleadg But that Newhauen is part of or within the New Netherlands the Inglish Colonies must and doe protest against it, and according to theire deuty by all dew just meanes assert the English Right Both to Newhauen Lands and harbours, And to all English plantacions from Cape Cood both one the maine and Ilands that are possessed by the English, at present vnder theire Gouernment as antiently Granted by the kings of England to theire subiects, sence purchased by the English from the Indians the trew proprietors of the Land: and for diuers yeares peaceably possesed and planted by them without any Question or demand by the Dutch or any for them And shall accordingly Expect to bee Righted Both for the Injury and afront in takeing a shipp out of one of theire Harbours vpon such Chaleng and titles to the place vniustly claimed without Purchase, posession or any other Considerable Ground.

Vpon which occasion Mr. Eaton acquainted the Comissioners what had passed betweene the dutch Gouernor and Newhauen Colony and sundery Let-

ters from the dutch Gouernor was Reed and theire Answers returned to August the 28. 1648 all which being dewly Considered the Comissioners did first inquire of Mr. Wm. Westerhowse, whoe In the dutch Gouernors Last Letter was accuzed of a ireguler with the Indians, what gunns and powder hee had brought And how hee had disposed the same.

Hee Answered with much confidence that he had not Brought at most aboue ten Guns In all, and not aboue a thousand weight of powder, of which the dutch Gouernor had seized in the formencioned shipp about fiue hundered pounds, hee had sould three 100 pounds to Newhauen Colony, or Plantation and most of the rest by pounds to Newhauen planters, and others within that Jurisdiction, but absolutely denyed that euer hee sould gun or guns, or any powder to any Indians, or any dutchman or if the duch Gouernor or any other could proue to the Contrary hee professed himselfe willing to Submit to the seuerest Sencure, as being fully informed by the Gouernor of Newhauen, that all such tradeing without express Lycence from som of the magistrates was vnlawfull: and they further thought fitt by way of preparacion Either to a meeteing with the duch Gouernor or provision for theire owne safety and Conveniencie to wright to the Duch Gouernor as followeth.

HONORED SIR

IT is now more then a full yeare sence the Comissioners desiering to continew and Confirme a fast and profitable peace betweene the English Colonyes and the duch plantations in these parts wrought vnto you and presented what they had heard: first Conserneing a daingerous Liberty taken by yours to sell guns, powder and shott, and other Instruments of warr to the Indians Both at Orrania Forte And

other places within the English Jurisdictions, a trade damnable as your selfe calls it, sertainly vnsafe and like to be of mischeuous Consequences both to the English and Duch, Secondly Conserneing a high Custom of Recognition with other burthens and Inconuenient Imposisions Layed not onely on your owne people but on the English merchants Tradeing at or som time in theire returne but pasing by the Manatas, but to this wee heare not of any Prohebicion or sesation of the forementioned Trade at the Orrania forte, Nay wee hear that the Mowhaks and other Indeans Liueing neere that place are soe furnished with guns, Powther And shott, that they growe bould and dareing and may proue daingerous to vs all, nor doe wee finde any abolishment or moderacon in the saide Customs and grieuances Imposed at the Manatoes, Nay wee haue not rescaiued any answer, not so much as a particuler Information as wee Requested, of what is Required and expected That wee might Informe our merchants to prevent future fines and Seasures.

Mr. Will. Westerhowse one of your Countrymen, but at present a Planter at Newhauen, Informes vs and Complaines of his owne And prencipalls greate loss, and damadge by your seasing his Shipp, and goods within Newhauen Harbour, he professed hee would haue cleared himselfe at the Manatoes of being either Rebell or fugative To or from his natiue Cuntry, that hee paide Customs at his comeing forth In reference to Virginia and the English Colonyes; But not admiting him thither: It seemes you Refered him to the expected meeteing at Conitacott heerevpon we haue perused and considered your Claime to all the lands, Riuers Streames, &c. from Cape inlopen to Cape Cood with your protest, and Letter Both Dated October 12. 1647 Noua Stilla wherein wee finde Sondery vnsatisfying pasages wee haue alsoe seene diuers other Letters which you haue sent to the Gonernor of Newhauen with his seuerall answers To

Agust the 28. 1648 old Stile: by all which wee finde much Cause of meeteing to settle a right vnderstanding betwixt the English Colinies and your selfe, which hath beene by you propounded in sondery of your Letters And was desiered and intended by the English Colonyes; though vpon nessesary Consideracon Defered to a fitter season In the meane time Some passages in your Letter by way of preperation had neede to bee Cleared in (of the 25 of June 1647) to the Gouernor of the Massachusetts: you desier that himselfe and som others of the English may bee deligated, and that they will bee pleased to giue you a meeteing, to adiatate past actions to Reconsile the present and to preuent all future occasions of Contestation but your Closse seemes then to importe, that all this is but to prepare things that your or our Lords and Masters, may more easy determine, in your of November the 15th 1647 to the Governor of Newhauen Mentioning the Meeteing by you propounded you professe your Resolution to giue pregnant Testimony to the World of yonr Rediness for a fayer and neighbourly composure of diferences, but in your Letter to Mr. Goodyer deputy Gouernor at Newhauen, Dated the 13th December 1647 you express your selfe more doubtfully, if you meete in the spring with the Gouernor of the Masachusetts and Plymouth you hope you shall Indeuor Reconsciliation, but to put any thing to them as Arbitrators you were not then Resolued, which in some of vs suspended all former thoughts of a meeteing till the mater againe was Reuiewed, by your seuerall Letters to the Gouernor of Mathatusetts Plymouth and Newhauen Whearein desiering a meeting at Conitacut you express your selfe, as not doubting but Mutuall satisfaction will bee giuen to one and other In euery respect; that past diferances and agreeueances shallbee forgott, future preuented and a happy vnion firmely established, the premises considered wee desier to be Informed whither you haue Comission from your prin-

sipalls to make a Referenc to whome because som tyme you mencioned the two Gouernors of the Masathusetts and Plymouth and som time the Comissioners and what you propose to Referr whither title to land or other Questions and differences, as the Gouernor of Newhauen did som time propound (Nouember the 16th 1647) If you please heerein to express your selfe, wee shall the better vnderstand our way and accordingly as the Case may Require further the meeteings with the first oppertunity: in the meane tyme with hearts Inclined and Ingaged to all Councels treatyes and wayes of a wholesom and just peace and we shall propound vnto you such Conscideracons as we suppose your selfe will judg Eaquall, and till diferences bee isued or som speedy Course of settlement agreed, nessesary vidz. that the traders within any of the dutch plantacions, or vnder the duch Gouernor whither merchants or mariners may expect noe more Liberty within any of the harbours belonging to the English Colonyes Either in poynte of anchering, Customs Searching fines Seizures &c. then the English Colonyes and theire merchants and marriners Inioy at the Manatoes, or within your Jurisdiction, Secondly that if vpon serch wee finde in any of the traders vessells, within the English Jurisdiction any quantaty of guns, powther, shott, &c. fitt for that mischevous trade with the Indians, and so tending to the publique damage of both the English and dutch, we shall make stay of them vntill further Inquiry; and satisfaction bee made and giuen. Thirdly that what Restrants, penaltyes and Confiscations you put vpon the English Colonyes and theire merchants for tradeing with the Indians within your Jurisdiction The same the Colonyes must put vpon yours within the English Limitts, fourthly Refering what is past to the meeteing propounded if hearafter you tacke and Carry away any shipp Vessel or goods out of any harbour within the English Jurisdiction or Else wheare seize any vessell or goods

belongeing to any marchant or marriner either English Dutch or other nation admited to be planters or Inhabitants within any of the vnited Colonyes you will nesesitate vs to vindicate the English Rights and to Repaire such damages, by all suitable and Just meanes. Wee shall add noe more, but to preuent mistackes, professe, and desier you will beleue that wee shall neither protect or countenance any vnrighteous course in any of ours to your preivduce nor Impose or any way inovate Either in poynte of Customs, or in the Liberty of our harbours, or otherwise till wee doe or might vnderstand your minde and resolucion in the former particulers The vtmost of our aime being but to remoue what might hinder or slacke the peace and that neighborly corespondencie that wee desier intierly to preserue betwixt the English Colonies and the dutch plantacion in these parts but if you refuse or delay either to retourne an answer or to giue dew and meete Satisfaction in the promises your selfe will hinder the meeteing which wee all desier from which wee may doe and hope we expect reall and Lasting fruite and will not then blame vs if by all iust meanes, wee seasonably provide for our owne safety and Conveniency. Thus desiering you will bee pleased with your first opertunity to returne your minde and answer hearein to Mr. Eaton Gouernor of Newhauen Colony, from whome that our Councells and Cource bee accordingly ordered, we expect the Isew of these our proposalls we tacke Leaue and rest

Your Loueing Friends

Plymouth September 16*th*, 1648.

Mr. William Westerhowse marchant and now a Planter at Newhauen as formerly at Plymouth did now againe deliuer in a petition to the Comissioners informing and complaining against the dutch Gouernor of the Monhatowes that contrary to the tenor

and import of his owne Comission sent to the said Westerhowse at New Hauen and vpon pretence that Newhauen is within the Patent and Jurisdiction of the Dutch hee did iniuriusly seize within Newhauen Harbore a shipe and goods belonging to him the said William Westerhowse to the vallew of 2000l. as it cost in Holland and though for Satisfaction hee hath made seuerall addresses vnto the said Dutch Governor yet hetherto hee can obtaine nothing from him; hee therefore desired healpe and Releife from the Vnited English Colonies and as at Newhauen hee had formerly moued that some dutch Vessels then within the Harbore might bee attached or arested to bring his Cause to a further and due triall the which the Governor of Newhauen thought not fitt to graunt till hee had first aduised with the rest of the Comissioners so now hee propounded and desired that hee might haue Comission from the Vnited Colonies to recover his lose and damnage as hee should find opertunity by way of Reprissall.

All which being duely weighed and considered the Comissioners as formerly so still found just Cause to witnes against the vnjust seizure to the greate lose and damnag of Mr. Westerhowse and iniurius to the English Colonies the shipe beinge taken out of New Haven harbor vpon pretence of the Dutch Title and enterest to and in all the lands, harbors, Riuers, &c. from Cape Henlopen to Cape Cod or point Judeth; yet they thought it not conuenient to graunt Mr. Westerhouse (a straunger, and no planter in Newhauen when the shipe was seised) a Comission of Mart or Reprissall, and though they haue not denied Justice to Strangers by way of atachment or arrest to bring the cause to hearing and iust Tryall, yet thay thought fitt first to signify the Offence to the Dutch Governor and accordingly to bring seuerall other questions and differences depending; They wrote to him as followeth.

HONERED SIR

FROM Plymouth September 1648 wee wrot vnto you largly and in Sundry particulers what might trouble or settle a comfortable and safe peace betwixt vs; youer answere wee Receued long sence from Newhauen but found it in sundry Respects deffective and vnsatisfying, you are alltogether sylent concerning the dangerous Trad of Guns, Powther, Shott, &c. driuen with the Indians at Aurania Forte which is also by som of youers to our great Prejudice carried on and continewed within the English Jurisdictions; Gouert Lockerman hath giuen much offence therein presuming posably that no Indian Testimony how full soeuer will pase and bee taken against him; how farre our marchants are freed from Customs Recognitions &c. inward and outward and whether those burdens bee vtterly abolished or onely suspended for the present you informe not; what Restraints are continewed vppon Trad and in what Cases our marchants lyable to Confiscation of goods you are not pleased to answare; though it bee just and necessary our marchants should know both theire duty and danger; and the Governor of Newhauen did lately desire it from you; We acquainted you with Mr. William Westerhouse his grevance and Complaint with his offer to cleare himself from being either Rebell or fugetive to or from his native Cuntry; in youer answare you refer him to the Justice of Holland. Time doth not yet abate his sence of that lose: hee now againe attends and petitions the Comissioners for som way of satisfaction and Redrese and desires libertie to atach or arrest such vessell or vessells of youers as come into any of the harbors belonging vnto the Vnited Colonies that hee may bring his Cawse to a fayre and just hearing and Tryall; in these particulers wher hee is a planter and where his occasions lye; wee denye not Justice to Strangers of any nation yett wee thought it suttable

to the amytie and Corespondence wee desier to hould with youer selfe and the Jurisdiction not to graunt it till wee had acquainted you with his request and the equitie thereof. Wee cannot but assert the English Title and iust Right both to the Newhauen Lands and Harbor and to all the English Plantations and theire apurtenances from Cape Cod or Point Judeth both on the mayne and the Islands which are possessed by the English at present vnder theire Gouernment as anciently graunted by the Kings of England to theire subiects and sence duly purchased from the Indians and peacably planted and imployed by the Inhabitants of the Vnited Colonies respectively and accordingly cannot but witnes against the iniuries and hostile seisure of a shipe made by you in Newhauen harbor vppon an vniust pretence of title and Enterest in the place: wee haue perused the lettres you sent both to the honered Governor of the Massachusetts and of Plymouth with what by way of answare you wrote to the Governor of Newhauen concerning Delaware bay wee haue formerly heard and considered the Right and Title our Confederats of Newhauen haue to sundry tracts or parcells of Land within Delaware bay by you called the south Riuer with the Iniuries thay receued from youer predesseser Mons. Kieft in anno 1643: Mr. Winthorpe Gouernor of the Massachusets and Presedent of the Comissioners wrot the apprehension and sence the Comissioners had of his proceedings and receved his answare but without satisfaction: our frinds of Newhauen will neither encroch vppon youer Limmitts nor any way desturbe youer peace but they may not let fale the English Right and Enterest there.

These with other differences might haue been considered and ether issewed or prepared for Europe had you been pleased to haue giuen vs a meeting at Boston as was propounded and desired but that not suting your conueniency wee shall bee constreyned to pro-

vid for our owne safty and first finding the Trad of guns, powther and shott with the Indians soe mischeueous to vs all and yet so hard to bee discouered and proued wee must nessesarily wright after youer Coppy and forthwith forbid all Trad direct or indirect with any of the Indians within the limitts of any of the Vnited Colonies vnder the Penalty of Confiscation of vessels and Goods if thay be there found so trading or after proued to haue transgressed and offended therin, to all persons but such as are Inhabitants within the said English Jurisdictions and subiect to theire lawes and Gouernment; Wee shall add no more at present But againe desier youer answare may be returned to the Gouernor of Newhauen that from him the rest of the Comissioners may vnderstand youer mind in the premisses soo wee take leaue and rest youer loueing frinds.

Boston August the sixt 1649 *Stile Angl.*

The 13th. present the Dutch Gouernor being arived two Daies before vpon a Desire (as hee expressed) to treat with the Comissioners presented the followiug writinge.

HONORED SIRS,

SIX Considerations, concerning the publick welfare haue moued to vndertake (this to mee) troublesom Journey to meete youer Worshipps heere and alsoe two particulares the one conserning myselfe the other one of the Inhabitants, which I haue thought convenient to propose in Writing that all Inconveniencies by uerball speaking either out of hastinesse or otherwise may be prevented; but principally that I may giue account to my Souereignes the High and Mighty States Generall of the Vnited Belgick Provences and the Honourable Lords Bewint-hebbers of the West India Companie.

1. The first is the wrong and Iniury done to their H. M. and the Right Honourable West India Companie by sertaine of youer Nation by theire vnjust vsurpacon and possesing the land lying vpon the River commonly called Conecticott or the fresh River, being the lands of the said Companie bought and paid for to the then Right proprieters the natiue Americans before any other Nation either bought or pretended Right therunto for the which wee desire a full Surrender and Satisfaction according to the qualitie of the cause.

2cond. Wee cannot but conceaue youer Worships cannot but bee sensable of the advansing and incroaching of som of youer Cuntrymen vpon the pretended lymits betwixt vs and youer Nacion in these parts and the pretended Rights of H. M. and the Right honorable West India Companie Wheras in our native Countryes a long and happy peace hath been observed and faire naighborly Comerse and Correspondency before and sence my arrivall and gouernment which haue occaconed sertaine Contestations and troubles the which for our parts I should very gladly see removed and taken away and for the Remocon therof I conceaue either a generall or provisionall lymett may be settled betwixt vs for the accomplishment wherof I conceaue it will conduce much thereunto if wee shall either by a joynt writing to our Superiors at hom or sending our Agents request it may bee by them decided.

3. The detaining of sertaine fugitiues by the Right Worthy Gouernor and Maiestraits of New Hauen vpon my first arrivall gaue to my great greife cause of som Discontent on either side for the prevention wherof for the future I desire that som course may bee Resolved vpon that all occasions of Distast that way may bee prevented.

4. Whereas by letters from the Right Worshipful Governor Eaton by order of the Honored Comissioners and likewise by common fame wee vnderstand the

honored Comissioners the last yeare passed an act of prohebition of trade for our Nation with the natiue Americans in these partes vpon Confiscacon of Shipp and Goods I cannot but for the welfare and prosperity of our Nacion in these partes but desire the said act may bee repealed or that the honorable Comissioners willbee pleased to give mee vnder theire hands Reasons and grounds for the forbiding the said trade within the pretended lymitts H. M. and West India Companie.

5. And for that likewise by Relacion of divers credable persons of your Nacion and ours one Mr. Pinchon vseing trade and Comerce with the Native Americans hath soe fare advanced vpon the trade that the trade and Comerce in these partes of these ioynt Nacions is much damnified and vndervallued not onely to the inriching the said natiue barbarians but the overthrow of the trade haveing likewise by particular Testimony from two persons of quallity vnderstood that the said Mr. Pinchon gaue eleuen gilders to the said Natives for a beauer skine; the detriments that may therby arise I shall refer to the wise Consideration of the honored Comissioners that som course as they in theire wisdomes shall best conceaue may best bee agreed vpon that the said Inconveniencies may bee removed.

6. Wheras likewise there was a sertine Shipp detained and the goods vnladen by them of Road Iland the said shipp being taken from the Spaniard somtimes our enemies but now our frinds by vertue of a Comission from vs the which said shipp being by them of Road Iland detained sold and desposed of to severall Seamen vpon pretences of shares due vnto them contrary to the mind and will of the owners haveing the greatest enterest therin; the said owners making many complaints vnto mee for Satisfaction either by way of arestment of any of theire Barques or Reprisall the which I was vnwilling to graunt tell I had acquainted the honered Comissioners therwith

the said honered Comissioners will please either to cause them of Road Iland to make Restitution according to equity or els that it may not bee in any measure offencive to the honered and naighbor Colonies to seek our Right by way of Reprisall.

The two particulars the one is that I may receiue Right for the scandall raised vpon mee by Tho. Stanton the which I suppose is knowne to som of you by what my Ensigne did speake and desire at New Haven from the Gouernor there: ad calumnias tacendum non est non aut contra dicendo Nos vllsis camus sed ne mendatio in offensum progressum prometamus.

The second is that Govert Lockman making complaint to mee of wrong Receued by him from the Gouernor and Court of Hartford about a sume of money paid by him of the which in my letter to youer honored Comissioners of the last yeare I made complaint and desired satisfaction in that point being still by him vrged with the vnrighteusnesse of the proseeding, I can doe no lesse in Relacon of my Duty but request the honered Comissioners will take a Review of the proseedings that in case you shall find a mistake in the sentance Restitusion may bee made to the plaintife or els so much light showen that the plaintife may bee convinced

PETER STUYVESANT.

New Netherland,
September the 23d sti. novo. 1650.

This writing being receued and read the Comissioners returned in writing the answare following

HONOURED SIR,

YOUER selfe hath often propounded a meeting to compose differences and the Comissioners haue euer Reddyly imbraced it by youer Agents wee haue now vnder youer hand receved som propositions and

might returne severall waighty greivances wherein wee cannot but expect just Satisfaction but youer selfe have now cast a barr in youer way of youer treaty expected youer propositions written this day in Hartford bear date in New Netherland September 23 Stila Novo what Comission you have for it youer selfe best knowes but sertainely wee shall encurre blame from our Superiors to admitt such pretence of title to this place vnlesse therefore you bee pleased to explaine or retract wee may not proseed.

EDW: HOPKINS Pres:
in the name of the Comissioners of the
English Vnited Colonies.

Hartford in New England
the 13th of September
1650 St: Angliæ.

The Dutch Governor returned in writing as followeth.

HONERED SIRS,

IT was love of peace and naighborly complyance that brought me hether and am Redy to attend all occasions that may therevnto conduce and 23d this Instant new stile I sent my propositions to that end but as I vnderstand by youer Missive I put a barr in the way by dating my propositions as in New Netherland I thought my first proposition would have removed that barr but to shew I would not willingly put any obstruct to the treaty expected the honered Comissioners may please to know the substance of what was proposed was agreed vpon by my selfe and Counsell at the Monhatoes and there dated and subscribed but the papers being left aboard for the gaining of time I caused them to bee coppied out and translated soe nigh as I could remember from the original: and therfore conceaued it most proper to stile it New Netherland but for the prevension of any

misapprehension for the future if the honered Comissioners shall please to forbeare the calling of this place Hartford in New England I shall forbeare the stiling of it New Neatherland but if you shall conceaue it most expedient to stile it soe I conceave it is but Reason I should haue the same liberty to date my writing as in Conectacut in New Netherland the which may not bee any obstrucsion to the treaty soe I rest

Youres in love
PETER STUYVESANT

Conecticott September 24
new Stile 1650.

To the forgoing that which followeth was returned by the Comissioners.

HONORED SIR,

WEE have perused youres of the 24th wherin you leave out what was offensive and date onely from Conecticott which for the present doth soe fare satisfy that the treaty if you please may goe on though the English Title by Purchase pattent and possesion wee are assured willbee found good and firme both in Europe and America youer Comission wee shall expect to see when youer vessell comes vp but to redeeme time we shall consider your propositions and shall alsoe with our first Conveniencies acquaint you with our greivances but if you accept it wee rather desire to treat by a frindly conference then by writing which will draw out the businesse to a greater length then probably will suite either youer or our conveniency soe wee Rest

Youres in all wayes of love and Righteusnesse
EDW: HOPKINS President

Hartford the 14th
of September 1650. Stil. Angl.

The answare to the propositions formerly expressed was as followeth

HONERD SIR,

WEE have receved youer propositions and briefly returne the answare following

First the Right the English haue to Conecticott River with the plantations and lands vpon or about the same hath been often asserted and as wee conceaue is either fully knowne or sufficiently cleared to the English Dutch and Indians in these partes wee have not heard yet any thing of waight obiected against it but how much land the Dutch heere claime where it lyeth from whom purchased we have onely heard allegations without proofe which cannot satisfy.

2condly It needs both explycation and euidence where and which of ours haue made any encroachments vpon the pretended Rights of the states of the Vnited Provences Wee hope to prove our Right to what wee enioy by pattent purchase and possession; and that if the happy peace soe long continewed betwixt our Superiors in Europe haue met with any disturbance it is by seuerall Iniuries wee haue receved by youer predecessors and youer selfe in these parts of which wee haue complayned heere and should willingly refer the Examination and Issue to Europe if wee might see any Comission or Instructions from thence directing and warranting you therin.

3ly Wee are assured New Hauen Maiestraits were free for all offices both of Justice and amity but youer selfe cast in Impediments by claiming both the place and Jurisdiction and som of you vsed offencive and threatening language ill arguments as the state of affaires then stood; But if in other particulars this treaty may bee brought to a comfortable Issue a due Consideration may bee had of fugitives and how to settle a right vnderstanding and naighborly corespondency betwixt vs.

4ly. The Comissioners never intended to direct or regulate the dutch Trad within theire owne proper limits ; they onely desired that the mischevious trade of pouder &c. which soe directly tends to the damage and hurt of both Nations might bee restrained at Aurania fort, the prohebition vnder the penalty you mention extended onely to the English proper bounds as by the Comissioners letters from Boston the last yeare may apeere.

5ly By what Rules the Traders whether of Aurania Fort or Springfeild walke the Comissioners enquire not ; Trad is free and Marchants attend theire owne conveniencies and will hardly continew a Trad driven to lose but lawes to lymite if not well considered will soone bee repealled.

6ly The Comissioners vnderstand not how or vpon what Ground the Inhabitants of Road Iland have proseeded about the shipp mensioned nor where the Right is though they bee not combined with the other Collonies yet as Naighbors and as our Countrymen wee cannot but desire theire wellfare soe farr as wee may advise they should do you Right and you them no wrong but wee can neither examine nor judge in the case.

To the two last particulars wee answare as followeth ;

1. Tho. Staunton as wee are informed hath ever professed that what he spake was both Truth as hee related it and to discharge his Engagement by oath to the Jurisdiction hee delivered it but as an Indian Report it was no otherwise entertained ; som of the longe Iland Indians haue sence attested the same before the Maiestraits of Conecticott and som other Indians vpon the mayne concure with them ; which may thus fare satisfy that Tho. Staunton raised not the Report nor intended any hurt to youer selfe but the Indians are subtile and might have theire owne ends in Reference to which wee then did and still doe suspend beleife.

2ndly. The Report of Govert Lockman's large but mischevius Trad with the Indians filled these partes as we are informed was brought to the Manhattoes the Evidence against him to the Court of Conecticut was as clear and full as may bee expected in such a case hee might once and againe haue had his case tried but hee rather chose to issue in a composition; But sence as wee heard he hath expressed a Resolution to proseed in the same Trad, wherin hee will giue new offence and bring himselfe into further trouble.

EDWARD HOPKINS, President.

Hartford upon Connecticutt
the 14th September 1650.

To the foregoing answare there was receiued from the Dutch Governor that which followeth.

HONORED SIRS,

YOUER Paper of the 14th September Still. vet. I receaved in answare to my propositions.

Youer answare to my first proposition is as I expected for wher there is an affermetive of Right due the negative must needs fawl from them that detaine that Right from the true proprietors; and although happily I can produce testimony by Dutch English and Indians to a certaine quantity of land purchased paid for and in part possessed by vs, and other part vsurped by them of Hartford, yet I shall forbeare the further prosecution our said title wher my parties are both President Judge and parties in the cause.

My first explained the second and for the Evidence in time convenient may bee produced, and wheras you are pleased to charge my predecessors and selfe with severall generall Iniuries you haue receued by vs; for what my predessesor hath don as I am ignorant soe I cannot be responsible, but for my selfe I cannot but take speciall notice you are pleased to condemn mee of Iniuries done to you before it bee duely proved and my answare heard which giues mee

cause to suspect the cause is likely to bee vnequally ballanced although as yet I never had question with the honered Collonies of Massachusetts and Boston.

Youer assurance that the Maiestrates of Newhaven were free for all Naighbourly offices and so forth; but that myselfe cast in Impediments in the way and that som of our people vsed offencive and threatening language vpon a due examinacon I suppose it willbe found otherwise; and for offencive and threatening language vsed by any of ours there it was contrary to my mind and order; and when I know the parties accusation and proofe against them (if vnder our gouernment) wee shall take course that Reparation shallbee made.

To my fourth you give no positive answare for my proposition was not conserning the directing or regulating the Trad but the prohebition of the Trad in these parts with the native Americans to all that are vnder our gouerment of New Netherland my desires then being and still are that you will either repeall the said acte or give me a catagoricall answare the grounds of youer act being for the prevension of the sale of guns powder &c to the Indians I know no reason that the Innocent should suffer for the guilty In case any of ours shalbee found to trad in that nature it is but Reason hee should bee punished; for our parts as wee haue an order for the prohebition of the said Trad soe wee put it in execution upon due proofe. Conserning my proposition about Mr. Pincheon I onely proposed it as what I conceaved might bee to the detriment of the publick Trad in these partes referring it to the wisdom of the Comissioners to consider of it but for my owne part shall hereafter be silent.

For them of Road Island I proposed for advise and the taking away of offence that might be given to my Naighbor Collonies.

For that of Tho. Stanton I am vnsatisfyed as being a publicke person vntell such time as I may face to face answare to my accusers.

For what may bee duely proved by good Testimony against Govert Lockman in his trading with the Indians in these partes for guns powder &c. if fairly prooved I shall very well approve of the proseedings of the Court at Hartford therein; but vntell it bee made evident to mee by good Testimony of any Transgression by him comited against the publicke lawes of this Country I cannot but require satisfaction in that behalfe.

For the furthering the Treaty the Right honorable Comissioners haue often propounded a verbal Conference with them in theire Court; for my part I cannot see any Conveniency in it being the causers of any difference are both Judge and parties; but to show to my principalls and to all others whom it may conserne that I am free and inclined to peace and to naighborly Corespondency and to give and receue due satisfaction sence my arrivall by equall parties as wee call it a Chamber of my partie; If it shall please the Right Worshipfull Comissioners to deligate two indifferent persons out of the Collonies of Boston and Plymouth with full power I am willingly reddy to depute others with the like power and refering to each others theire Rights and Titles and soe refer the Issue of injuries receued and given to theire award; otherwise if the parties aggrieved will please to bury all former passages betwixt vs I shalbee free and willing thereunto and to joyne and fall vpon considerations of what may bee thought may conduce to the publicke good of both nations in these partes neither of these bee not graunted, I cannot see any light to proseed farther on in this Treaty but with all thankfullnes to acknowlidg the respective Intertainement I haue reseaued from you sence my arrivall among you and shall rest

Yours in all offeces of love
PETER STUYVESANT.

Conecticott the 26th of
September 1650 Stila nov.

The Comissioners replyed.

HONERED SIR,

TO youers of the 26th present newly Received wee shall briefely make Reply, onely we shall first mind you that you came to treat with the Comissioners have directed your writings to them and therefore could expect noe answare but from them.

1. The English Colonies when they first entered this vnion and Confederation inquired and by all due meanes serched into the Claime the then Dutch Governor made to som part of Conecticott; they perused the letters Mons. Kieft had written considered his allegacons and proofes and compared them with the Defence the English at Conecticott made for themselves and cause which they thought a cleare and satisfactory way to find out where the Right lay; and vpon a full and serius Consideration The Comissioners together with the generall Court of the Massachusetts tell further light were by the Dutch produced thought Conecticott's Title and proseedings faire and just, and accordingly sertifyed theire apprehensions to the then Dutch Governor; But if yet wee may vnderstand what and vpon what grounds you challenge wee shall indifferently consider and advise, but hetherto youer claime hath been varius and unsertaine somtimes to all the lands vpon that Riuer, somtimes to a part, somtimes vpon one ground and otherwhiles vpon another which leaves vs in the dark and vnsatisfyed.

2condly. Wee vnderstand how the first of youer propositions explaines the 2cond we conceued them as two of youer destinct greivances which caused our answare to run in that frame wee hope wee shall see and bee satisfyed with youer Comission though you expresse nothing of youer mind therin; youer selfe charg Iniury Wrong Incroachment Vsurpation

&c. vpon som of the Collonies before any shadow of proofe, and yet take it ill that you find any such expressions in our papers wherin yet wee determine nothing but sertify how things yet stand in our apprehensions tell farther light and proofe bee held forth.

3ly. The comissioners for Newhauen are free and willing that the case of the fugitives and all that depends thereon bee duly considered and judged by indifferent men.

4ly. We conceaue our former answere was full and satisfying yet at youer desire wee shall add that as both French and Dutch prohibite Trad with the Indians in theire seuerall respective Jurisdictions; Soe the Comissioners conseaue the English Collonies may doe within theire proper lymits, yet if this treaty in other respects issue to Content and Satisfaction that acte may bee further considered and probably Repealed.

5ly. Wee rest in what you are pleased to conclude conserninge orderinge or lymiting of Trade.

6ly. Wee cannot but take well what you propounded conserning Roade Iland we can advise no further but are satisfyed with youer aimes and desires that peace and Righteousnesse may duly bee preserved betwixt you.

7ly. Thomas Stanton is expected heere today or tomorrow but probably hee will thinke himselfe discharged by bringing the Sachem and other Indians to justify what hee reported as from them, however wee shall neither in him nor any other countenance any thing which may appeare iniurius to any much lesse to youer selfe.

8ly. Conserning Gouert Lockman you wholy waue the substance of our answare: himselfe being consius of his guilt in that mischevius Trad as was conceaved by the Maiestraits of Conecticott chose rather to issue all by a Composition then to run the hazard

of a legall tryall and you well know in such Cases Volenti non fit Iniuria.

To the Conclusion in youer last paper we haue and still doe professe that in all our passages of the treaty propounded wee looke not at ourselues as a Court or Judges or that any thing should be carried by vote; but propounded a free Conference betwixt party and party that a right understanding may bee gained and differences by mutuall consent composed; your desire of peace and naighborly Corespondancy wee fully approve; and shall not differ with you in the way of arbetration mencioned onely wee desire to see youer Comission and what you will refer and what not that wee may the better see and consider our way; not doubting but if our meeting issue without fruite wee shall cleare our Intentions by our Carriage and offers to all indifferent Judges wether heere or in Europe.

In another Paper these ensueing greiuances and Complaints were at the same time presented to the Dutch Governor.

HONORED SIR,

OUR joynt aime (wee hope) is that this meeting may be improved as an Audit seriusly to consider and duly to issue all accounts betwixt vs; youer propositions or parcells wee haue perused and answared wee shall now acquaint you with severall particulars which stand charged in the English bookes which wee desier you willbee pleased duely soe to weigh that all reconings may bee justly cleared and a neighborly Corespondency setled.

The English at Conecticott haue formerly complained of many vnworthy passages and Iniuries receued from som of those who have been employed by the Dutch as agents for them there to which noe satisfying answare was euer yet returned as the entertainment of English fugitives and helping them to

file off theire Irons perswadeing servants to run away from theire Masters Retaining and buying stolen Goods and refusing to returne them vpon equall satisfaction vpon demaund marrying som English Couples Refused at the plantations with seuerall other of a like Nature.

Som of them also further complaine for the Non Payment of debts due for goods taken vp by theire public Agents who haue left the Place without giveing due Satisfaction and payment denyed by theire Successors as not apertaining to them.

Lastly The Maiestraits for Conecticott complaine of an insufferable Iniury latly comitted by the Neger belonging to the Dutch house; that wheras a notorius delingquent vpon a Capitall offence was heere imprisoned the said Neger did assist him to breake prison and to make escape for which they have not yet called him to accoumpt.

The Comissioners for Conecticott and New Haven doe joyntly complayne that wheras Captaine How and some other English purchased of the Indians the true propriators all that tract of land from the easteren part of the Oysterbay to the westeren part of a bay by them now called How or Holmes bay to the middle of the great playne being halfe the breadth of Long Iland to the Norward; Monsr. Kieft the then Dutch Governor caused the English to bee seized carried thence by force and imprisoned them.

The Comissioners for New Haven informe and complayne first that wheras by theire Agents they had duly purchased of the Indians Sachems and theire Companies seuerall tracts or parcells of land on both sids of Delawarr bay or River to which neither the Dutch nor Swedes had any just Title yet without any legall protest or warning Monsere Kieft the then Dutch Governor sent armed men 1642 and by force in an hostile way burnt theire trading house seized and for som time detained the goods in it not suffering theire servants soe much as to take a just Inventory

of them; hee there allsoe seized theire boate and for a while kept theire men Prisoners for which to this day they can get no satisfaction.

2condly. That the said Dutch Governor 1642 compeled Mr. Lamberton theire Agent by force or threatenings to give in at the Monhattoes an accoumpt of what beauers hee had traded within Newhauen lymits at Delaware and to pay recognicon for the same.

3ly. John Johnson the Dutch Agent with the Swedes Governor at Delaware charged Mr. Lamberton as if hee had ploted with the Indians to cutt them off a Capitall Crime for which they imprisoned and tryed him but could bring no proofe to satisfy themselves who both accused and sat Judges yett they sett a fine vpon him for trading within Newhauen Limits there.

4ly. Youer selfe soon after youer Entrance vpon the trust and charge at the Monhattoes came and seized a shipp with the goods in her by force in theire harbor pretending Title to the place; and after you complaine of a purpose and Resolucion in them to vindicate theire owne Right in a lawfull way; you required them to send theire Dutch Marchants and theire goods with recognicon to the Monhattoes and if directions were not attended you threatened Hostilytie to Newhauen pretending to keepe peace with the other Collonies.

5ly. In your letter dated october 12th. 1647 you required sertaine fugitives in an offenciue manor as if the place and Jurisdiction had been vnquestionably youres though by antient pattent from the Kings of England all this Part of America called New England in breadth from 40 to 48 Degrees of Northerly latitude is graunted to the English; And the Inhabitants of Newhaven had right therby to improve a smale portion therof and accordingly purchased land of the Indians and have built fenced and settled them-

selves there; and many yeares after not hearing soe much as the least pretence of title the Dutch did or could make to any of the lands or appurtenances.

6ly. In behalfe of William Westerhouse a dutch Marchant but an Inhabytant and planter in Newhauen they desire and expect Restitution and Satisfaction for the aforesaid shippe and goods seized and carried out of theire harbor to the great damage of the said Westerhouse and his principalls for which he still calls both vpon the Comissioners and the Maiestrats of Newhauen for Justice and expects that by an arrest vpon your Vessells the Cause may bee brought to a due tryall within the English Collonies where the shippe was seized.

The premeses being duly considered and issued whether by Conference or arbytracion as youer selfe propound if yet there remayne any question about title or lymits of lands or about Jurisdiction which cannot bee heere cleared and ended to mutuall satisfaction wee shall reddily agree that such difference maybee by Consent truly stated and soe refered into Europe for finall determinacion and that in the meane time such bounds and lymits bee agreed betwixt the English of the Vnited Colonies and the Dutch Jurisdiction that eich may know what to expect and inioy without disturbance till a Resolucion and determinacion may be procured and settled.

EDWARD HOPKINS President

Hartford on Conecticott
September the 16*th.* 1650.

The next writing receved from the Dutch Governor was as followeth.

HONORED SIRS

IN youer Reply of the 26th. proof is required the pretendant Colonies Hartford and Newhauen seeing noe sufficient authoritie in theire an-

ticipacon of vs from the enioyment of our pretended Rights, had Recourse to the indesputable Pattents of the Massachusets and Plymouth to shrowd themselues vnder theire winges and therfore produced such evidence and letters as might serue theire owne ends but that all our allegacions and proofe were duly and truly weighed and considered in a right way and manor before indifferent Judges in the presence of the parties defendant, I conceaue can never bee proved; for the verity of my Claime as it is true I haue layed Claime to all the lands betwixt Cape Henlopen westward and Cape Cableyou eastward for matter of Title; and to this about Hartford as the proper demeane of the West India Companie as being purchased paid for and surrendred by the then Right propriators the Natiues vnto vs.

My Comission you may please to see when you desire it alwaies provided on the other side I may see the Comission of my parties, I could doe no lesse then charge Iniury and vserpation vpon som of you vpon our lands and still must vntell the question bee lawfully decided.

To the third I fully agree with the Comissioners of Newhauen.

I question not the power of the Comissioners for making any orders in theire proper lymits but desire those vnder our gouernment and Jurisdiction may enioy the freedom of Trade with the Indians in our pretended lymits according to what they had formerly alwaies enioyed.

For the fift and sixt I am fully satisfied with the answare of the Comissioners.

For Thomas Stanton I freely pasè it by being well satisfyed with the good Opinion of the Comissioners in that point.

In the case of Gouert Lockman being I am informed it was his owne volentary acte I am satisfyed I shall onely desire a Coppy of the Agreement from the Secretary of the Court at Hartford; And for that

I vnderstand the said Lockman vsed some threatening words after his agreement I only require the Testimony of what they were and hope the Comissioners shall receiue satisfaction.

In my former paper I expressed what I would putt to an agitation and am reddy to performe it when I shall know youer deligates; I hope my desire and Indeavour will cleare mee before any indifferent Judges of my Reddynes to bringe matters to a comfortable Issue betwixt vs and that there rest noe blame on mee if otherwise it fall out.

The points to be agreed vpon by the deputies I conceaue may bee comprehended vnder these 4 heads.

1 The composing of differences

2 A prouisionall lymite of lande betwixt vs

3 A Course to bee agreed vpon conserning fugitives.

4 A naighborly vnion betwixt vs so nigh as may bee agreed.

Youers in all offices of loue
PETER STUYVESANT.

Conecticott the 27th
September 1650 *sti. no.*

The Returne from the Comissioners to the present writing ensueth.

HONERED SIR

THOUGH wee desire to put the most favorablest Interpretation vpon all your expressions whether by word of mouth or writing yett wee conceaue you still cast new Impediments in the way of any faire accord when you would mitigate the greivance att Newhauen for seizing a shippe in theire harbore vpon a Claime to the place you plead a mistake comitted by youer Secretary leaving out a word which you say was in the originall coppy; it should haue run pre-

tended Claime or Title wherein wee see you put a difference betwixt a reall and a pretended title yet in youer last writing bearing date this present day you call Conecticott and Newhauen pretendant Collonies Imply against them an iniuryous anticipacon of som Right you pretend to that they shrowd themselues vnder the wings of pattents not including them; that the dutch euedence was not fairly produced to giue light to youer Claime; all which if not retracted cannot but offend; you againe professe a Claime from Cape Henlopen to Cape Cod; Somtimes you say but to Cape Judith somtimes you doe but pretend a Title but hitherto you haue not been pleased to shew either pattent or purchase to justify any pretence of youers to what is in question; soe that if you charg Iniury and vserpation vpon any of the Collonies without better grounds you cannot but expect a just defence and returne.

The premises being satisfyingly cleared wee can freely treat per deligates according to youer desires to compose all differences agree vpon provitionall lymites where there is any question about title or bounds to returne fugitives and settle a naighberly Correspondency betwixt vs.

Youers in all seruice of loue
EDWARD HOPKINS President &c.

Hartford vpon Conecticott
September the 17*th* 1650 *Sti. angl.*

Vpon the Receipt of this a writing of the following Contents was sent by the Dutch Gouernor to the Comissioners.

HONERED SIRS,

YOUER last paper being receued I answare it was loue of peace as I formerly writt vnto you brought mee hither and not to make altercacion by writing; I thank you for youer fauorable Interpertacion I would

not willingly cast any Impediment in the way of the treaty; if my thoughts had been soe I might better haue stayed at home and not trouble my selfe or others; I suppose you all know I cannot deliuer my selfe so prompt in youer language as mine owne and as I would willingly and therfore I meane noe advantage should bee taken against mee for the two mayne things now obiected for the hinderance the treaty. I shall explayne my selfe that my words being the pretendant Collonies of Hartford and Newhauen: I look vpon them as my parties in case any Dispute should arise for matter of right and title of lands To the 2cond the difference betwixt a pretended Right and a Reall Right I shall state the Cause as I apprehend a man may pretend a Right to that which he doth not possesse and yet haue a Reall Right and a man may pretend to possesse where hee hath noe Right vnto but to take off disputes that way if the Comissioners please wee will leaue it to our Superiors to judge where the Reall or pretended Right is; and in the Interim for the furtherance the Treaty to our common welfare I am free and willing to treat with you all as with the Vnited English Collonies expecting youer Worshipps speedy answare I rest

Youers in all loue

PETER STUYUESANT

Conecticott 27*th September* 1650.

The Returne of the Comissioners was as followeth.

HONERED SIR

IN youer last writinge you giue noe answare nor doe soe much as mencion som things justly offenciue in youer former paper yet accepting youer explycacion soe fare as it goeth; youer profession not to incroach vpon our Rights; and freeness to treat with vs as the Vnited English Colonies wee shall pase by som vnsatisfying expressions hoping wee shall find the

Reallity of your Intentions of Peace in a reddy yielding to satisfy just greivances in the treaty wee haue therfore according to youer desire intreated or deligated two Comissioners of the Massachusetts and Plymouth Collonies to whom we giue full power for the composing of all differences in case of Injury and damage to set provitionall bounds in all places where there is difference betwixt vs conserning title and lymites to consider what may bee done in the Case of fugitiues and to settle a just Corespondency and desire you wilbee pleased forthwith to name youer two deligates and to invest them with like power that the treaty may begine and proceede without further vnnessesarie lose of time; Wee haue chosen and intrusted our worthy frinds Mr. Symon Bradstreet and Mr. Thomas Prence to the seruice wee rest

Youers in the truth and for peace according to it

EDWARD HOPKINS Presedent &c.

Hartford on Conecticott the
28*th September* 1650.

The next Writing from Mr. Stuyuesant ensueth.

HONERED SIR,

YOUERS of the 28th 1650 being receued in answare to mine of the 27th this instant month giues mee great hopes that matters wilbee comfortably issued betwixt vs and in each respect comply with you in that way of deligacon and do make choise of my worthy frinds Mr. Thomas Willett and Ensigne George Baxter to whom I shall and doe giue as much power in each respect as you haue or shall to your worthy deligates and rest

Youers in loue of peace

PETER STUYUESANT

Conecticott 28*th* 1650

THE Reference being agreed vpon the Dutch Gouernor gaue Power to his delegates by a Writing containing as followeth

Bee it knowne vnto all men whom these presents may any way conserne That We Peter Stuyuesant Gouernor generall of the New Netherland Curasoe Aruba &c. by vertue of a Comission from the high and mighty Lords the States Generall of the Vnited Belgick Prouences directed vnto vs for the Generall Rule and Gouernment of the Prouence called New Netherland; and likewise for the entering into a Couenant of peace legue and amitie with any prouince people or state as by the said Comission more at large doth and may appeare and being desirus that the said loueing Vnion and Correspondence betwixt the two nations in these northeren parts of America may bee observed preserued and mayntained as in our natiue Cuntries of the Vnited Belgick Prouences and England; Soe by vertue heerof; Confiding in the Wisdom Integrity and Sufficiency of Captaine Thomas Willett and Ensigne Georg Baxter, depute the said Captaine Thomas Willet and Ensigne George Baxter to treat and agitate with the Comissioners of the Vnited English Collonies giueing and graunting and by vertue of these presents I doe giue and graunt full power and authoritie vnto my said deputies to joyne with other two deputed by the Comissioners of the Vnited English Collonies and with them to treat agitate examine all or any difference betwixt the two nations in these parts and absolutely by the joynt Concurrence of the other two deputies to end and determine them according as they in theire Wisdoms and entegryty shall think just and right; with power likewise to my said Deputies to enter into such tearmes of accord for provisionall lymits and league of loue and Vnion betwixt the two nations in these parts as to them shall seeme expedient Ratifying and conferming and by

vertue of these Presents will stand bound to ratify and con ferme whatsoever my said Deputies shall agree vnto on my behalfe according to such directions and Instructions for the comon good as wee haue giuen them; In Wittnes and confermacon wherof I haue heervn to sett my hand and Seale this 28th September 1650 Stil. no.

PETER STUYVESANT

The House the Hope on
Conecticott comonly
called the Fresh Riuer.

A like Comission with full power was graunted to Mr. Symon Bradstreete and Mr. Thomas Prence in the following Words

Know all whom it may conserne that Wee the Comissioners of the Vnited English Collonies by vertue of the letters pattents graunted by the Kings of great Brittayne vnder the great Seale of England for all New England lying in that part of America from the northeren latitude of fourty to fourty eight and according to the Confederacon formerly made and a full power this yeare giuen by the fower Generall Courts of the Massachusitts Plymouth Conecticott and Newhauen to the present Comissioners by which they are enabled to treat and conclude in matters of publick Consernment that former and late greivances betwixt the honered Gouernors or agents for the high and mighty States of the Vnited Belgick Prouences in such parts of America as are possessed or justly belonging to the said H. and M. &c. and the English Collonies may be duly composed and a just and naighborly Correspondency settled; Confiding in the integrity and Sufficiency of our worthy frinds Mr. Symon Bradstreet and Mr. Thomas Prence haue and heerby doe intreate and deligate them to agitate treat and conclude with the deputies appointed and authorised by Peter Stuyvesant Esq. the present honered Gouernor of the Prouence of New Nteher-

land to consider and compose all differences to agree and conclude prouisional lymits in all places wher there is question of title or bounds a Course for ordering or returning fugitiues and settling a just Correspondency Ratifying and by these presents confermeing what our said deputies according to directions and Instructions giuen shall agree and conclude in the premises or any part therof In Witnes wherof the Presedent for the Comissioners hath heervnto sett his hand and seale.

EDWARD HOPKINS Presedent

Dated in Hartford vpon Conecticott 28th September 1650.

Vpon a serius examinacon and Consideracon of the particulars comitted to Reference the Arbetrators delivered in the following award.

ARTICLES *of* AGREEMENT *made and concluded at* HARTFORD *vpon* CONECTICOTT *September* 19*th* 1650 *betwixt the Deligates of the honored Comissioners of the Vnited English Collonies and the Deligates of* PETER STUYVESANT *Governor Generall of* NEW NETHERLAND.

1. Vpon serivs consideracon of the differences and greivances propounded by the two English Colonies of Conecticott and Newhaven and the answare made by the honered Dutch Governor Peeter Stuyvesant Esqr. according to the trust and power comitted vnto vs as Arbetrators or Deligatts betwixt the said parties; Wee find that most of the offences or greivances were things done in the time and by the order and comand of Monsieur William Kieft the former Governor and that the present honered Gouernor is not duly prepared to make answare to them; We therfore think meete to respet the full consideration and Judgment conserning them tell the present Gouernor may acquaint the H. M. States and West

India Companie with the particulars that soe due Reparacon may accordingly bee made.

2. The Comissioners for New Haven complained of severall high and hostile iniuries which they and others of that jurisdicon haue receued from and by order of the aforsaid Monsieur Kieft in Delaware bay and River and in theire Returne thence as by theire former propositions and complaints may more fully appeere; and besids the English Right claimed by pattent presented and shewed seuerall Purchases they have made on both Sids the River and bay of Delaware of seuerall large tracts of land vnto and somwhat aboue the Dutch house or Fort there with the consideracion given to the said Sachems and theire Companies for the same acknowlidged and cleared by the hands of the Indians whom they affeirme were the true propriators testified by many Witnesses; they also affeirmed that according to theire apprehensions they have sustained 1000*l.* damages partly by the Swedish Gouernor but cheifly by order from Monsieur Kieft and therfore required due satisfaction and a peacable possession of the aforesaid lands to Inioy and improve according to theire just Right; The Dutch Governor by way of answare affeirmed and asserted the Right and title to Delaware or the south River as they call it and to the lands there as belonging to the H. M. States West India Company and professed hee must protest against any other Claime; but is not provided to make any such profes as in such a treaty might bee expected; nor had hee Comission to treat or conclude any thinge therin; vpon consideracon wherof Wee the said Arbetrators or Deligates wanting sufficient light to issue and determine any thinge in the premisses are nessesitated to leave both parties in Statu quo privs to plead and improve their just enterests at Delaware for planting or trading as they shall see cause; onely wee desire that all proseedings there as as in other places may bee carried on in love and

peace tell the Right may bee further considered and justly issued either in Europe or heere by the two States of England and Holland.

3. Conserning the seizing of Mr. Westerhouse shipp and goods about 3 yeares since in Newhaven harbor vpon a claime to the place, the honered Gouernor Peeter Stuyvesant Esqr. professing that which pased in Writing that way was through the error of his Secretary his Intent not beeing to lay any claime to the place and withall affeirming that hee had order to seize any Dutch shipp or vessell in any of the English Collonies or harbors which should trade there without expresse lycence or Comission; Wee therefore thinke it meete that the Comissioners of Newhaven accept and acquiesse in this answare.

Concerning the bounds and lymitts betwixt the English Vnited Collonies and the Dutch Province of New Netherland Wee agree and determine as followeth

1. That vpon long Iland a lyne Runne from the Westermost part of the Oyster bay soe and in a straight and directe lyne to the Sea shalbe the bounds betwixt the English and Dutch there, the Easterly part to belong to the English the Westermost part to the Dutch.

2. The bounds vpon the mayne to begin at the West side of Greenwidge bay being about 4 miles from Stanford and soe to runne a Northerly lyne twenty miles vp into the Cuntry and after as it shalbee agreed by the two gouerments of the Dutch and of Newhaven provided the said lyne com not within 10 miles of Hudsons River.

And it is agreed that the Dutch shall not at any time hereafter build any house or habitation within six miles of the said lyne The inhabytants of Greenwidge to remayne tell further Consideracon therof be had under the Gouerment of the Dutch.

3. That the Dutch shall hold and enioy all the lands in Hartford that they are actually possessed of knowne or sett out by sertayne markes and bounds and all the

Remaynder of the said land on both sides Conecticott River to bee and remayne to the English there.

And it is agreed that the aforsaid bounds and lymits both vppon the Iland and mayne shalbee observed and kept inviolate both by the English of the vnited Collonies and all the Nacion without any Incroachment or molestacon vntell a full and final determinacon bee agreed vpon in Europe by the mutuall consent of the two states of England and Holland.

Conserning fugitives

It is agreed that the same way and course shalbee observed betwixt the English of the vnited Collonies and the Dutch within the prouence of New Netherlands as according to the 8th Article of Confederacon is in that case provided.

Conserning the proposition of a nearer vnion of frendshipp and amity betwixt the English and Dutch Nacon in these parts especially against the common enimie Wee judge worthy of due and serivs Consideracon by the seuerall Jurisdictions of the Vnited Collonies and accordingly desire it may be comended to them that soe a resolucon may bee had therin at the next yearly meeting of the Comissioners.

And in Testimony of our joynt consent to the seuerall forgoeing conclusions wee have heervnto sett our hands this 19th Day of September Anno Dom. 1650

SYMON BRADSTREET
THO. PRENCE
THO. WILLETT
GORG BAXTER.

Captaine Tapping and Ionas Wood in their own name and in the behalfe of Mr. Fardom and John Ogdon and others of South-hampton by petition &c. enformed the Comissioners that theire peace is much endangered by that large Trade the Indians haue with the Dutch in guns powder and shot by which meanes they are at least as plentifully furnished as themselues

as apte to giue valleyes of shot in theire entertainements and complements and by exercise are become good markesmen, but withall growne ensolent and injurius against the English som of them as the petitioners haue ben enformed haue lately driuen som of the English Cattle into the water and so drowned them to the great damage of the owners; They further complaine of Iniuries susteined from the Dutch sence they remoued from theire Jurisdiction to one of the English Colonies though they first gaue notice to the Dutch Governor thereof and vnderstood not that it was any way offensiue yet sence som considerable parts of theire Estates attached or by authoritie as they heare stayed and kept from them; and that imprisonment is threatened if they com in person to improue or remoue their estates; all which being duely considered the Comissioners expresse the deep sence they haue of the mischievus Trad of selling &c. and soe armeing and animateing the Indians both against themselues and vs and that they would gladly se all due means to suppresse it; They further told them that if they could proue the Indians wilfully drowned theire Cattle They would consider som just course for theire satisfaction but themselues acknowlidg they want due proofe; lastly in Reference to such estates as they have within the Dutch Jurisdiction the Comissioners wrot to the Gouernor as followeth.

To the Dutch Governor.

Much Honored Sir,

SEVERALL of Southhampton haue presented theire Grieuances to vs sence we met at Newhaven which wee are slow to receue vpon the onely complaint of the parties Interest Mr. Fardome Captaine Taping Iohn Ogdon and Ionas Wood haue (as wee heare) som considerable parts of theire estates yet within the limits of youer Jurisdiction whether they may freely remoue them to the plantation where they dwell or whether all or any parte bee sequestered,

attached or upon any offence or other Respect detein-ed ; is to vs (whatever reports are brought) yet doubt-full ; they haue been exersised whom they might im-ploy to receiue speedy and satisfying enformacon but wee conceiue much time wilbee spent and lost in treating by attornies or deputies and believeing the Justice of New England and New Netherland is squared by one Rule wee perswade them to manage theire owne ocations in youre Jurisdictions desireing for them and hopeing wee may promise that for this single Iourney Captaine Tapping and Ionas Wood who are most enclined to waite vpon you at the Mon-hatoes shall haue the fruite of a safe conduct that theire persons may com and goe at libertie whateuer debts or offences may bee alledged or proued against them as any of youers in a like case and vpon a like motion of youres shall haue with vs and that in all proses and proceedings for or against them whether vpon private or publike questions the issue may hold forth justice with moderacon ; and that if there shalbe occation a satifying reason may bee giuen in a naigh-borly way as was done in Govert Locorman's and shalbee in any like Case which may well bee donn without preiudice to any Jurisdiction whether youers or ours ; we rest

Youers in all due Respects.

New Haven September 11. 1651.

To the Honored Comissioners for the vnited Colonies now assembled at Newhauen.

The humble Petition of Jasper Graine William Tut-till and many other the Inhabitants of Newhauen and Sotocket.

HUMBLY sheweth That wheras divers yeares sence seuerall marchants and others of Newha-uen with much hazard charge and lose did pur-chase of the Indian Sagamores and theire companies the true propriators seuerall large Tracts and parcells of land on both sides of Delaware Bay and Riuer

and did presently begine to build and to set vp factories for Trad and purposed to set vp plantations within their owne limmits wherby the Gospell allsoe might haue been carried and spred amongst the Indians in that most Southerly part of New England and the vnited Colonies might before this time been enlarged with conveniency both for themselues and posteritie had not the whole work by hostile and iniurivs opposition made both by the Dutch and Sweeds been then hindered.

And wheras youer petitioners streightened in the respectiue plantations, and finding this parte of the Countrey full or affoarding little encorragement to beginne any considerable new plantations for their owne comfort and conueniencye of posteritie; did vpon a serivs consideracon of the premises and vpon encorragement of the Treaty betweene the honered Comissioners and the Dutch Gouernor the last yeare at Conecticott by agreement and with consent of the said marchants and others resolue vpon a more difficult Remoue to Delaware; hopeing that our aimes and endeauors would be acceptable both to God and to his people in these Collonies being assured our title to the Place was just; and Resoluing (through the healp of God) in all our carriages and proceedings to hold and maintaine a naighbourly Corespondence both with the Dutch and Sweeds; as was assured them both by the tennor of the Comissions and by letters from the honored Gouernor of this Jurisdiction; To those ends and with these purposes preparations were made in the winter a vessel was hired and at least fifty of vs set forward in the Springe and expecting the fruite of that wholsome aduise giuen at Hartford the last yeare in the case by the arbetraters joyntly, Those chosen by the Dutch Gouernor concuring in it; wee went to the Monhatoes which wee might haue auoyded; and from our Honered Gouernor presented a letter to the Dutch Gouernor vpon perusall wherof (without further prouocation) hee arrest-

ed the two Messengers and comitted them to a priuate house close prisoners vnder a guard ; that donn hee sent for the master of the uessell to com on shore as to speak with him and comitted him allsoe after which two more of the companie coming on shore and desireing to speak with theire naighbors vnder Restreint he comitted them as the rest then desireing to see our Comissions and coppie them out promiseing to returne them the next day though the Coppes were taken and the Comissions demaunded he refused to deliuer them and kept them and the men imprisoned tell they were forced to engage vnder theire hands not then to proceede on theire voyage towards Delaware but with lose of time and charge to returne to Newhauen ; Threatening that if hee should after find any of them in Delaware hee would seize theire goods and send theire persons prisoners into Holland and accordingly they returned though theire damage therby as they conseiue doth amount to aboue 300lb. all which youer petitioners refere to youer wise and serivs consideracon and being assured you will haue due respect to the honer of the English nation which now suffers by this injurius affront taken notice of by all the naighboring Indians, They humbly desire that som Course may bee agreed and ordered for the due repaire of theire loses satisfaction for theire vnjust Imprisonment with libertie and encorragement to improue theire just Rights in Delaware for the future to which purpose they further humbly offer to Consideracon

First That Delaware in the Judgment of those that haue often and seriusly viewed the land and considered the Climate is a place fitt for the enlargment of the English Collonies at present and hopfull for posteritie that wee and they may enjoy the Ordinances of Christ both in Sperittuall and Ciuill Respects.

2condly they feare that if the English Right bee

not seasonably vindicated and a way opened for the speedy planting of Delaware; the Dutch who haue layed allreddy an injurious hand both vpon our persons and Rightes they hauing (as is reported) lately begun a new Fortification and plantation vpon our duly purchased lands; will dayly strengthen themselues and by large offers draw many of the English to settle and plant vnder them; in soe hopefull a Place which will not onely bee dishonerable to the English nation but enconuenient to the Collonies and of mischevius Consequences to the persons who shall soe settle in Reference to that lycencius libertie theire suffered and practised.

Thirdly as the Petitioners haue not in theire eye any other considerable place within the limitts of New England either for the enlargment of the Collonies at present or for the comfort and conueniency of posteritie soe if the Dutch may thus openly oppose vs in our persons and Rights if they may plant and fortifye vpon the land which themselues the English Sweeds and Indians know to be ours. It may incorrage them to encroach and make further hostile attempts vpon som or other of the smaler English Plantations to bring them vnder theire Gouerment and may annimate the Indians with whom the Dutch engratiate themselues by a larg constant mischevius Trad in Guns powder and shott to despise and make assaults vpon vs; Wherfore they againe humbly entreat youer aduise with seasonable and sutable assistance according to the weight and Import of the Case; that all youer Consultations and labores may tend and issue in the honer of Christ and welfare of the Collonies.

The foregoing Petition being presented and read The Comissioners took into serius consideracon the Contents thereof and what was to bee donn therin

They considered the English Right to Delaware by Pattent The Right of the Marchants and other

Inhabitants of Newhauen to sertaine tracts and parcells of land there by purchase The Iniury donn them by the Dutch both formerly and this last Summer in theire hostile and forceable proceeding against them as the petitioners relate and the great affronts therby giuen to the English nation the ensolency of the Dutch and the Contempt it is like to bring the English into among the Indians if som speedy course bee not taken to preuent it by Righting the oppressed.

As alsoe the Comodiusnes of the place for plantations and how preiudiciall it may bee to the English in these partes if it should bee planted by enimies or people of another nation not being vnmindful of the stright accomodacions of many in seuerall places and the benefite of Trade with the Indians in Delaware if prudently managed.

They likewise considered what had pased betwixt the Dutch Gouernor and the Comissioners the last yeare at Hartford and that aduise giuen by the Delegates of them both for the quiet and peaceable Improuement of theire seuerall Rightes in Delaware tell the aforsaid difference shalbee determined in Europe.

The Comissioners vpon these and seuerall other consideracons thought meet to write to the Dutch Gouernor to protest against his iniurius proceedinges to assert the English Right and to require satisfaction for the damag donn to our frinds and confederats of Newhauen; and to declare vnto the petitioners in way of answare to theire petition that howeuer we think it not meete to enter into a present engagement against the dutch chusing rather to suffer iniuries and affronts (at least for a time) then in any respects to seeme to bee too quicke; yet if they shall see cause againe to endeauore the planting of theire forementioned purchased lands in Delaware at any time within these twelve months and for that end shall at theire own charge transport together 150 or at least an 100

able men armed with a meet uessell or uessels and ammunition fitt for such an Enterprise all to be allowed and approued by the maiestrates of Newhauen Jurisdiction or the greatest parte of them that then in case they meet with any hostile opposition from the Dutch or Sweeds whiles they carry themselues peacable and inoffensiuely that may call for further aid and assistance The Comissioners do agree and conclude that they shalbe supplyed by the seuerall Jurisdictions with such a number of Souldiers as the afforsaid Comissioners shall judge meet they the said plaintifes bearing the charges thereof; for the true payment wherof the purchased lands and Trade there with the Natiues shalbe engaged tell it bee satisfyed provided alsoe and it is agreed that such persons as shall transport themselues to the aforsaid lands in Delaware either out of Newhauen Collonies or any of the other three shalbe and remayne vnder the Gouerment and Jurisdiction of Newhauen tell the Comissioners of the vnited Collonies shall otherwise order the same.

To the Dutch Gouerner

Much Honered Sir,

BEFORE we parted last yeare at Hartford you gaue vs hopes of a comfortable meeting at Newhauen this yeare what derections you had from Europe to maynteine peace and Naighborly respects with the English in America you then shewed and best know what other Comissions you haue sence receiued; But all the Collonies take notice that now you walke in contrarye pathes you told vs of a protest you must make against such as should plant or improue (Though but theire just Rightes) on Delaware; Wee saw noe cause for that but know that both youer predecessor and your selfe had without cause formerly protested against som of the Collonies; But in youers dated Aprell the 11th 1651 Stil. novo sent to the

Gouernor of Newhauen wee obserue you threaten force of armed and Martiall opposition euen to blood-shed against such as shall goe about to improve what they haue proued to bee justly theires in Delaware; and yet shew noe more of any just title you haue therunto then you did at Hartford which left all the Delegates both for the English and Dutch therin vn-satisfyed; in the said protest you allsoe afeirme that the planting &c. of Delaware by the English enterest is contrary to the prouisionall agreement made be-twixt yourselue and the Comissioners for the En-glish Colonies which wee marvell at; those recordes clearly expressing the contrary Wee hoped alsoe that according to youer promise at Hartford wherin Mr. Willett and Mr. Baxter engaged Greenwidge before this should haue been settled as a Member of New Hauen Jurisdiction but instead of that wherof wee yet heare nothing the complaints of diuers of our Confeaderats of Newhauen Collonie are renewed wee cannot but expresse our like sense of that iniurius carriage of youers towards them who neither attempt-ed nor entended any thing against the Dutch or Dutch Right in any portion or privilidge they may justly claime there; as the generall court of the Mas-sachusetts did in theire letters May 14th 1651. But wee are further enformed that you haue sence begun some fortification or plantation vpon som part or parts of the English land which giues us cause to feare that you more respect priuate advantages then publicke Righteusnes and peace wee must therfore as formerly soe againe assert the English Right espe-cially to theire purchased lands and protest against youer eniurius hostile carriage in imprisoning some of theire persons deteining theire Comissions and en-gaging them to theire great damage to returne before they could inioy theire just libertie without shewing either Right to the land in question or any just cause of such proceeding, vnless a pretence of a title should

satisfy which the English vpon as good grounds can make to the Monhatoes; And wee heerby further professe and protest that by these vnneighborly and vniust courses you are the sole auther and cause of all such inconueniences and mischiefes as may follow thereupon the Comissioners and Collonies hauing iust cause and ground to vindecate and improue the English Rightes and to repaire theire confederats who haue been soe wronged and damaged; Wee heare alsoe that you haue againe imposed that offensiue Custom of Recognicon at the Monhatoes which vpon our former complaint was for a time taken off; which fayrely tends to desturbe if not to cutt off all Trade betwixt vs in these partes; These things wee rather thought nessesarie to write and leaue to youre consideracon because wee yet heare of noe Returne you haue made to the Generall Court of the Massachusetts; if to that or this you please to send answare to the Gouerner of Newhauen wee shall from him receiue Informacon and the better vnderstand our way; soe wee rest

Youer loueing Frinds

Newhauen Septem. 15. 1651.

The 28th of Aprill The Comissioners Receiued seuerall letters; two from the Duch Gouernor the one directed to the Gouernor of the Massachusetts dated may the 15th 1653 Stilo novo the other directed to the Gouernor of Newhauen dated Aprill 22cond with a postscript of the 23d in both which hee absolutly and with much confidence denyeth the plott charged and offers to com or send to cleare himselfe or desires some may be deputed thither to consider and examine what may bee charged and his answares: but then by other letters and Reports brought and perused at the same time, the Conspiracye is confeirmed and as is reported the Indians are hasted to execution; all which being duely considered The Comis-

sioners according to the Dutch Gouernors motion; chose out three approued agents namely Mr. Francis Newman a magestrate of Newhauen Jurisdiction and capt. John Leuerett and Leiftenant William Davis of Boston and sent them with a Letter to the Duch Gouernor and two of his counsell and furnished them with Comission and Instruction as followeth;

To the Right Worshipful PETER STUYUESANT *Gouernor and Generall of the Duch Provence and to Monsieur* MONTAIGNE *and to Captaine* NEWTON, *two of the Counsell for New Netherland,*

RIGHT WORSHIPFUL. The vnited English Collonies by letters treaty and protests haue often propounded theire and Required Reparacon both from the former and from youer selfe the present Gouernor but hitherto the Returnes haue been hostile affronts offenciue and att the best vnsatisfying answars But the evidence wee haue of late Treachrus Conspiracye against ourselues wiues and children (and that in a time when motions were made by you for a treatye of peace) calls for new Counsells; yett to cleare our Intentions and proceedings and to shew that nothing but Nessesitie puts vs vpon other Remidies Wee shall as breifly as wee well may once againe declare former wronges; and what cause wee haue to charge a late bloody plott. 1. And first letting passe an hostile affront etc. as follows verbatime in the former declaration till wee come to the latter parte of the 14th section of aggreeuances as will appeer by † the marke in the Margent we proceed to the Duch Gouernor as followeth

But omitting seuerall vnsatisfying particulars wee shall conclude former agreiuances with the Joynt and Just Request that Thomas Nuton carpenter and somtimes an inhabitant sence for a capital and hainous

† There is no "Marke in the Margent" of the Records.

crime a prisoner within Conecticott Jurisdiction but thence made an escape and as a fugetiue first went Eastward and after to the Monhatoes; and as wee heare is there entertained into office be deliuered vnto our Comissioners now sent vnto you or otherwise duly returned vnto hartford, that hee may bee there Justly tryed from whence hee freed according to an article in the aforemencioned award 15. For wee passe to what adds much weight to all the premises which may serue for answare to two letters lately receiued the one directed to the Gouernor of the Massachusetts the first 1653 Stilo novo the other to the Gouernor of Newhauen the 22cond 23d of Aprill last wher though many denyalls with deep protestations can not satisfy yett according to your proposall We haue sent 3 agents or Comissioners to receiue and returne youer answare to the former hostile and Injurius affronts and to declare the euidences wee haue of crewall and Treacherus plott by many concurrent strong and pressing Testimonies of Indians att least charged vpon youer selfe and Fiscall. Wee neither did nor doe conceiue that either of you would venture to impart such Counsells to a multitude of Indians as are now filled with Reports from a few houses vnduely fiered a whole towne may bee endangered Nay consumed the Indians round about for diuers hundred Miles seemes to haue a Mischeivous Cupp putt into theire hands att or from the Monhatoes and noe Indifferent man can blame vs for prouiding against dangers when flush alarums are made; youer selfe confesse you made vse of a heathen Testimony against Newhauen in a case of land; and the Indians you mencion were no more competent Witnesses in that case then these are in this; The agents of Dellaware in Monseir Kieft's time made vse of Indian Testimony in a strang manner in a case of life and treason and what a bloody vse the Duch Gouernor and his Counsell att Amboina made of the Japans con-

fession though extorted by torture against Captaine Towerson and the English Christians there youer selues probably are not ignorant; Nimnigrett one of the Narragansett Sachems wintered at the Monhatoes; and towards the springe was Returned in a Duch sloop himselfe confesseth by his Messengers sent vnto vs hee exchanged presents with the Duch Gouernor and from the Indians there receiued enformacon what the last Duch ship brought from holland And yett when the fleet expected arriveth a blow shalbee given to the English; And though himselfe (as most guilty persons vse to do) deney the plott yett one of his Messengers heer both by speeches and cariages Rendered both the Duch and Nimnigrett very suspisius; And the Wampeage Sachems Brother in Companie with one of the Narragansett Indians confessed the plott before Mr. haines and others att hartford and that Nimnigrett went ouer hudson's Riuer and called a meeting of the Sachems, and there comunicated and thence dispersed theire plott and conspiracye against the English; and wee heare of many Indians both vpon long Island and vpon the Mayne either haue or in some safe place being called and cecured will Testify the same to youer selfe and to youer Fiscalls face but wee should enlarge to fare if wee should but give the heads of euidences to this purpose and that without reward or solisitation brought to vs from all partes our agents or Comissioners now sent will both shew and attend theire Comissions and from them you may (if you please) heare more of the profe presented to vs and from you by them wee shall expect speedy and Iust satisfaction for all former greivances and due cecuritie for the future for what passed in youer predecessors time (as by the award att hartford appeereth; you haue had a large space to acquaint youer high and mighty states and to furnish youerselfe from theire principals to make due Reparacon, and for the latter wee should bee much wanting both

to our owne duty and to the expectation of the Collonies if vpon such Reports and proofes wee did not Improue our best Indeauors for theire safety; according to the Returne they bring from you wee shall giue our counsells and in the meane time rest

youers in waies of Righteousnesse

JOHN ENDECOTT President
WILLIAM HATHORNE
WILLIAM BRADFORD
JOHN BROWNE
ROGER LUDLOW
JOHN CULLICKE
THEOPHILUS EATON
JOHN ASTWOOD

Boston 2cond May 1653

Captain John Leueritt and Leiftennant Willam Dauis two of the Messengers sent to the Monhatoes Retorned to Boston May the 21 1653 and acquainted the former Comissioners what had passed betwixt the three Messengers from the English Collonies and the Duch Gouernor and his Counsell the substance wherof is conteined in the propositions and answares following;

HONORABLE SIRS,

WHERAS the last night wee mooved for youer honners coming to an agreement in piching vpon a place and speedy time for the produceing Euidences to cleare the charge Rumered to bee layed by the honnored Gouernor and his Fiscall both or either of them which then wee desired might bee in som convenient place within the vnited Collonies of New England; to which you were then pleased wholy to decline for the Reasons you then expressed and what else you may are not knowne to vs wherfore wee shall not presse further therto but shall comend vnto you that the place may bee at Flushing and hemsted both

or either place as occation shall present prouided that wee may haue vnder youer hands Security that wee shall haue full and free libertie and power to call such to testify in the case as wee shall thinke meet; and that the majestrates of those places shall vpon Request bee ordered to giue oath to such as shalbee called thertoo by vs; and lastly that noe one English Indian or any other that shall giue in Testimony shalbee called in question or desturbed for the same while wee Remayne heere or when wee shalbee gon from these partes to all which wee desire youer speedy Returne in answare;

FRANCIS NEWMAN
JOHN LEUERETT
WILLIAM DAUIS

From the place of our Residence
The Basses house in Monhatoes This 23d of *May* 1653.

To the honnered Peter Stevesant Esqr. Gouernor of the New Netherlands and to his Counsell at the Monhatoes these presents

To which the Duch Gouernor and his Counsell Returned this following answare.

By the Gouernor Generall and counsell in New Netherland together with those that Represent the particulare courts of Justice, in the Collonies of New Netherland.

HAVEING seen the aboue written propositions of the Gentlemen Comissioners sent out of New England seeing that wee Joyntly and every one in particulare doe find our selues guiltless of any plott either offensiue or defensiue against the English nation either Naighbours or Subjects of this State doe wish nothing else then that the matter may be truely and

throughly examined the authers found and the accusations proued and that hee that is found faulty may bee by his Superiors duely comitted and punished or through want of that the Innocency of those that are accused may appeer and the false accusators may be corrected according to law;

Wherefore the formencioned gentlemen Gouernor Generall Counsell and those that represent the particulare Collonies and Courts of Justice doe condecend to the Request of the foremencioned Gentlemen Comissioners with this Causion that the examinacon and triall whether it bee against such English or Natiues bee performed and donn in the presence of such Comissioners as att this time are Joyned to the Gentlemen sent from New England viz. Mr. Seam Delamontayneth first counseller in New Netherland David Provoost and Gouert Lockerman which all joyntly in some measure vnderstand the Duch English and Indian speeches encase any Duch man English man or natiue might be found that would stand to the accusation; that hee might bee examined vpon Interrogatories in all particulare cercomstances; and according to the custom of our lawes of New Netherland might be touched and heard in the presence of the foremencioned Gentlemen that are sent hether before the Gouernor Generall counsell and those that Represent the aforesaid particulare collonies and courts of Justice of this prouince;

Wherfore the Gouernor and counsell fornamed doe commaund all Inferior Magestrates and officers to whome these presents shall come or be shewed that they would Cite and make to appeer before the Gentlemen Comissioners and our Joyned Comissaries all such as they shall Require whether they bee Duch or English; And if it bee in their power to bring such Natiues as the Gentlemen shall require, given vnder

our hands and common seale of this Province this 23d. day of the Month of May Anno 1653.

In New Amsterdam in New Netherland was Subscribed

PETER STEVESANT
WERCKHOVEN BRYANT NEWTON
MARTIN ROUOIGEER
JOHN BAYTEST VAN RUNSELAER
PETER VANDE GRETT VAN CARLOE
WILLIAM BEECKMAN
PETER WOLFERSEEN
ALLARD ANTHONY
RUTKER JACOB
PETER STEVESANT

The verbal exceptions made against the Returne of the Duch Gouernor and his counsell in answare to our first proposals being deliuered to vs before many of his counsell as hee cales them presently after supper May 23 1653

First in Reference to the persons by whom the Returne was subscribed as considering them not to bee those with whom according to our Instructions wee were to negociate.

2. In that the state of the question seemed to us wholy to bee altered from what was in our proposals with Reference to the clearing of the plott to him.

3. In Reference to two of the Deligates nominated by them who haue Rendered themselues justly vncapable as wee conceiued of such an Imployment.

4. In Reference to the Restriction to bee layed on the examination of Witnesses and such to be tried according to the lawes of Netherland;

FRANCIS NEWMAN
JOHN LEUERETT
WILLIAM DAUIS

To which they added in writing the next day

Honered Sirs,

YESTERDAY morning wee presented to you seuerall propositions therby to make way for the Euidencing and clearing of the controversy as specified and expecting not only according to youer not onely so open and large) as reitterated protestations of a desire to improue all meanes possible in order to the same It minnesters noe small matter exercise to vs that wee are enforced to declare our great dissatisfaction in Reference to youer Returne to vs; which to our vnderstanding Corresponds not in the lest with our proposals except in shew; but in it selfe is wholy delatory being som thing else then to the thing in hand as in the seuerall particulares therof an ordinary capacitie may eazely destinguish; Wherfore according to our trust wee doe heerby in the name and on the behalfe of the vnited Collonies of New England according to our Comission and Instructions demaund of you for the seuerall hostile and Injurius affronts that hath been put vpon them in former and latter times due and full satisfaction to all the particulares mencioned att large in youer letter from the honnered Comissioners of the vnited collonies of New England and withall securitie for the time to come for youer more peacable and frindly correspondency with them; Further that according to a particulare demaund in the aforesaid letters to youer selues that by a Joynt concurrance to an article in that Case cyted you doe forthwith deliuer or cause to be deliuered to vs the body of Thomas Newton somtime a capital offender in one of the Collonies of New-England and lastly wee doe desire a speedy and full answare to all the for-

mencioned particulares and such as wherin youer selues will assuredly rest.

Sirs

Your servants

FRANCIS NEWMAN
JOHN LEUERITT
WILLIAM DAUIS

From our Place of Residence at the Basses house in the Monhatoes 24th *May* 1653.

To the honnered Peter Stevesant Gouernor of the New Netherlands and to his Counsell these presents.

To which answare was returned as followed

Honnored Sirs,

THE Gouernor Generall and counsell of New Netherlands assisted with the Representing officers of the Collonies of the Netherlands, haueing seen and read the 2cond proposition of the honnered Comitties dated 24th May receiued Before wee can answare the Gouernor Generall and counsell with the Rest of the Respectiue Collonies and Jurisdictions doe require a true coppy of youer Comission and Instructions with a full answare whether or noe youer honners haue any thinge more to propound; In case that you haue bee pleased (to gaine time to deliuer them all over together; the which being donn the Gouernor Generall and counsell bee reddy with theire answare soe soone as possible In the mean time Remaine

CARRELL VANBRUGE Secretary

New Amsterdam 24 *May anno* 1653.

This is a true translation according to my power.

Whervnto the agents for the vnited Collonies replied

Honered Sirs,

That it may appeer our Reall desire of furthering you in youer way to a speedy answare to our last; and our reddines to condescend to any Reasonable motion from you wee haue therfore heerwith sent you a true coppy of our comission attested vnder our hands which is that which wee conceue doth nessesarily belong to you to bee acquainted with in order to our power of agency as for our Instructions wee take not ourselues bound to comunicate them vnto you further then as wee haue or may haue occation to improve them in this our present negotiation with you; therfore desire them to bee excused; if else bee offered from you to vs wee shalnot bee wanting to comunicate according to the trust and place of

Sir youer servants
FRANCIS NEWMAN
JOHN LEUERITT
WILLIAM DAVIS

From our Place of Residence in the Basses house in the Monhatoes the 24th May 1653 ten of the clock in the forenoon

To the honourable Peter Steuesant Gouernor of the New Netherlands and to his counsell These presents

Wherto the Duch Gouernor made the following Returne.

Honored Sires,

Wee were in hopes that our Round and depositiue answare vnto your proposalls yesterday att night returned would giue full satisfaction protesting ourselfe

to bee free and Innosent of such a Treacherus designe and wee are confident that ourselues in answare returned vpon your demaund may and will giue before all Christian people full Evidence of our real intensions that examinations may bee donn and procequted according to law and justice; the which we desire still; And if against any particulare of our foremencioned answare any exception may bee made or any defecte wee shall vpon good Informacon and Judgment of Indifferent persons submitt our selues to further clearing conserning the desired satisfaction for pretended Injuries; The Gentlemen Comissioners refering the particulers to a large letter Receiued sent to me from theire principals and in Reference that they expresse themselues by word of mouth that the Comissioners would not permit to come about that parte to any arbetration; or else I thought meet to prepare an answare to theire principalls Comissioners of the English Collonies.

What forme of securitie they expecte I know not; our Reall expression and propositions which wilbee presented vnto you I hope will satisfy the Gentlemen Comissioners and their principals by which soe much securitie was proffered vnto them as wee or any can expecte;

About the fugitiue I haue Imployed our captaine Leiftenant and vnder my hand vnto you a warrant vnto the Magestrates hee liueth vnder soe to lay hold of him; and you may be assured if matters may be carried forth in a loueing and naighbourly way the articles agreed vpon bee performed.

Youer Loueing frinds and servants
PETER STEVESANT
By order of the Gouernor and Counsell
CARREL VANBURGE Secret.

New Amsterdam this 24th of May 1653.

Articles propounded by the Duch Gouernor as followeth.

WHERAS it hath pleased God vpon thursday last being the 22cond of this present to lett arive heer before this towne youer honners as comitties and full power from the Collonies of New-England; The Gouernor and Counsell of the New Netherlands themselues bound in duety according to theire orders by letters from theire principals in Europe to present vnto youer honners as by these presents doth appeer.

1. Continuance of all neighbourly frindshipp allyance correspondency without on either side takeing notice of the vnhoped differences between our nations in Europe.

2. The Continnuance of trade and Commerce as was before; To the same Effects wee haue giuen passes and repasses and doe therin continnew vnto all Barques and Vessells of our neighbours.

3. That wee may haue mutuall Justice adminnestred against all such person and persons that should of the differences arisen betwixt both nations seeke for to defraude theire Creditors.

4. In the future time to preuent all differences and false reports riseing from the Indians that there may bee made and concluded a defenciue and offenciue warr against all Indians and Natiues and other enimies desturbers of the good Inhabitants of both prouinces, and likewise what youer honners shall think meet and nessesary for both nations wherin you shall find mee not onely reddy and willing but shall oblige our selues for our principales for the performation and accomplishing what shalbee treated on and agreed vpon;

5. In case the honered Comitties by theire Comission and Instructions haue not full power to treat and agree with vs vpon the aforesaid articles, If then you

wilbee pleased to giue vnto vs as wee haue given vnto you salvo conducke vnto one two or more persons for the same intent to send them unto youer principles and give them full power and authoritie for the effecting of the same as shalbee needfull; wherein we expecte youer honners good Intent and answare In the mean shall remaine

† This is a true Translation according to the best of my vnderstanding

CARRELL VANBURGE Secrett.

New Amsterdam this 24th of May Anno 1653.

Whereunto our Messengers returned the answare as followeth

HONERED SIRS

YOUER last to vs dated 24th May 1653 wee receiued giues vs such grounds of surceasing any further motion to you; had you pleassed to haue spoken plainly att the first, what in the Issue of the day you presented might haue prevented much mutuall exercise Gentlemen wee cannot but take notice that notwithstanding our full and just exceptions vnto youer round and depositive answar as in youer last you stile itt in the seuerall particulares of it both as to the persons nominated soe alsoe to the way propounded by you to bee attended in this busines to which our exceptions were made verbally vpon the receiuing youers, and sence by writing to you; yett you reteine a plausable and high apprehension of the equitie therof; And youer Confidence of the Satisfaction it will give to all Christian people of the reallity of youer Intentions; and although youer selues haue bee pleased to acknowledge the valliditie of our Comission to acte in this present busines yett you doe Implised if not

† I apprehend the Recorder has misplaced this Certificate, and that it was not giuen by the Dutch Secretary, but by a Translator employed by the English.

in words in this youer last seeme to Invallidate the same; but forasmuch as all that wee haue plainly presented to you seemes to bee nothing; And our demaunds of Satisfaction but for pretended Injuries (as you call them) wee doubt not but the Righteous God in his good time will cleare it that wee haue not pretended Injuries; but vpon reall and high Injuries donn; and Reiterated vpon vs haue in a Christian and neighbourly way declared the same to you and demaunded Satisfaction according to reason and rules of Justice; and whereas wee expected cleare full and satisfying answares to our just proposalls from time to time wee must professe wee find nothing but dilatory and offenciue Returnes from you; As for youer returne touching the fugitiue youer orders giuen forth to any wee att present search not Into nor youer tenders reach not vnlesse a deliuery bee made of the person; but in that you run with former actings and come not to a pontual answar; What with youer last you sent by way of proposal for further amity and naighbourly frindshipp alliance and Correspondency with the English Collonies in New England wee conceiue such proposals might bee seasonable were satisfaction or securitie for the same in what is past tendered; but now wee shall leaue the consideration therof as of all the rest to our masters the honered Comissioners of the vnited English Collonies and rest

Sir youer Servants

FRANCIS NEWMAN
JOHN LEUERITT
WILLAM DAVIS.

Monhatoes the 25th of May 1653.

To the honnered Peter Stevesant Gouernor of the New Netherlands and to his Counsell.

Honered Sirs

HAVEING Received by youer seuerall Papers youer answare of those in which you will Rest wee shall with this conclude our Negosiation with you declaring what in trust is comaunded to vs as followeth;

Wee the agents of the Comissioners of the vnited Collonies doe declare in theire name If soe bee you shall offer any Injurie to any of the English in these partes whether by youer selues or by the Indians either upon the Nationall quarrell or by reason of any Differences depending between the vnited English Collonies and youer selues of the Province of the New Netherlands; That as the Comissioners of the vnited English Collonies will doe no wronge soe they may not suffer theire countrey men to be oppressed vpon any such account they doeing nothing to bring it vpon themselues

FRANCIS NEWMAN
JOHN LEUEIRTT
WILLAM DAUIS

Monhatoes 25th May.

To the honerable Peter Stevesent
Gouernor of New Netherlands
and to his Counsell.

The 29th of May 1653 Mr. Augustine Heerman came to Boston and brought Letters from the Duch Gouernor which are as followeth

Honored Sirs,

THE sudden Departure of youer Messengers contrary to our friendly Invitation without coming to any conclusion about those weighty affaires as theire

order and Comission did Import or giueing any punctuall answare to our well meaning propositions makeing soe great hast that they would not attend one halfe day to take our answare with them vnto youer honered large and considerate message; honered Sires this might cause in vs thoughts of noe Reall Intentions howeuer hetherto wee haue made the best Construction of it; youer messengers Cloaking theire suddaine Departure vnder pretence of the day of election to bee held this weeke att Boston att which they must appeer if posible and that they had noe further order nor time appointed;

Honored Sirs

We haue in pursuance of our last adresse to youer messengers done this sunday att night before sunsett thought good to lett this serue for answare to youers dated the 2cond of may in Boston and deliuered vnto vs the 22cond of the same month new style.

In the first place you say that the Vnited Collonies seuerall times by letters Treateys and Protests haue propounded theire grieuances and sought reparations both from the present and former director; but haue to this present ben answared by hostile affronts and offence taken in great parte insteed of answares; honered Sirs the particularising in the pursuance of the explanation and remonstrance of youer messengers suppositions and additions which they add that the former as well as the present Gouernor Generall of the respectiue Collonies by sundry letters treaties and protests haue sought satisfaction for those affronts Injuries and anticipations and vsurpations vpon theire principall pretended streams and purchased lands; But to this present haue Received nothing but delatory exceptions offenciue affronts and vnpleasing answars, as well in the south Riuer bay called Dellaware bay as vpon the fresh riuer by you called Conecticott

the which by liuing Testimony to this Day you could never make appeer; but for asmuch I and noe is a lasting opposition and soe Remaines in case it bee not desided by Indifferent Judges and arbetrators, wee haue alwaies shewed ourselues willing, and by this wee doe alsoe declare to remoue the question either to Indifferent persons heer or to the Determination of both our superiors in our natiue Countries; wee alsoe desired to enter into further Conference with youer messengers about the aforemencioned points and matters in question; and haue produced our euidence and Instructions and shewed them wherin wee made our exceptions as our last adresse to them did Import not being ordered to determine the matter heer but onely to seeke reddy and full Satisfaction non in specie sedd in Genere as theire demaunds were may bée extended add Infinnitum; Itt would bee a long and tedious relation to answare all points which in the letters you particularize to the number of 14 or 15 articles, and to repeat them wee esteem it vnnessesarie, the rather because the most parte of them were desided provisionally in the articles of agreement att hartford vpon the 19th of the 7th called September 1653 or att least recomended to the principalls of both parties in Europe as may appeer by the aforsaid agreement or contract Inserted in the letter by youerselues; Wee shall therfore neither trouble you nor ourselues with reiteratiue repetition of letters protests and answars ouer and againe passing betwixt parties onely on this consideration to remoue any further progress in new discontents which tend onely to our trouble; Wee shall onely take notice of one Word which you youerselues Insert in the beginning of youer letter that the multitude of by past mischeifs (or as the words themselues present) former wronges once againe repeated; To charge a bloody plott notwithstanding that the complaints are and remaine in the first place not proued

2condly Ill applyed and alledged; and lastly may bee applyed to the advantage of youer complined as the complainers; and in the seuerall protests made by the noble Lord Keift; and as against sundry vsurpations; Vpon good grounds to vnderstand that our Lords Superiors were abused in their Rights according our vnderstanding remaine soe to this day; and will in that case with very many more bee in parte ruined; and it comes to passe about this matter namely in Consideration of the absurditie of a late bloody plott which is neuer yett discouered nor neuer shalbee proued; to charge vs with the old and undesided differences of parties in the like quallitie defending theire Right and Jurisdiction of their superiors If any English bee It in a priuate or by the Consent of the Gouernor and rest of Newhauen haue bought and paied for any lands within the limits and Jurisdiction of New Netherlands and by vertue therof vpon long Island by Captain Howe att Stanford by Mr. Feaux in the south Riuer by Thomas Lamberton, and haue contracted to build, this is not the question but the question is and remaines vnder whose Jurisdiction Those landes of longe Island Newhauen Conecticott and the south Riuer are accounted before they were bought built and Inhabited by the persons aforsaid; The Comissioners of New England will say vnder their Jurisdiction the Gouernor of New Netherland in opposition that you are vnder them; and it hitherto appeers the last striues to haue it to theire aduantage with the parties themselues in theire letter complaine of these Conserning many Injurious Protests receiued and old hostillitie suffered against which it shall neuer bee made appeer that our oldest naighbours as those of Verginnia Boston and Plymouth Collonies euer yet Complained of any encroaching vpon any of theire Jurisdictions by our nation; Butt att all times both sides haue possessed theire owne in peace and corespondency loueingly

together till such time a while agoe the Gouerment of Hartford and Newhauen doe not to this day make it appeer by what authoritie and vnder whose comission it came to bee begun and carried on between both; long after the hollanders had bounded theire limites by the fort the hope vpon the fresh Riuer wee are not willing heer to particuler because it was acted before our time The Injuries losses and affronts that our noble high Souveraignes and noble Lords Bywenthebbers as Lords patrons of this prouince and theire Subjects haue suffered in abusing and vilepending theire said high any mi armes in abusing striking and wounding theire seruants and subjects in theire taking away pounding and selling of theire Cattle horses Cowes and hoggs in theire antisipitation and vserpation vpon theire bought and paied for Lands as appeers by the extract of our daily heerwith sent of which the particulers can bee abundantly made to appeer by Testimony now liueing for which wee may require full and speedy Satisfaction and reparation and restitution; not from the honered Comissioners in generall but from those in particulare whom it consernes being past before our time as a present Satisfaction is sought from vs for pretended losses and affronts as well from us as from our predecessors; But in regard we would not willingly put the tinder to the fier in these dangerous times which would giue occation to the advancing of hart burnings as alsoe for that wee will not againe kindle the fier prouided for att hartford by the agreement being more att large couered with the ashes of oblivion all by past questions be remoued and left to the Direction of our Superiors of either partie wee will therefore for that End not insist vpon this.

Conserning the other particulare Complaints against John Johnson being Comissioner or in Comission on the south Riuer now long sence dead; and against Dauid Prouost that was in Comission vpon the house

the hope forasmuch as the same is vnknowne to vs wee shall for the present times be better enformed not defending much lesse allowing but a word in answare wee say to it which is particularly laid to our charge; begining with the 11th.. Article of your letter where it said that wee with a shipp belonging to Newhauen being sold by ourselues to Mr. Goodiear haue sent Armed souldiers and without any notice giuen haue taken from thence a Duch marchants shipp; It is acknowlidged but with this onely exception that the ship Swall although sold to Mr. Goodiear it was not att that time deliuered and alsoe not fully paid for; the Shipp that was fetched from thence was a Runaway a deceiuer of his owne Master and our Masters hauing Receiued by Intelligence that shee was come within the Limits of the Companies Pattent without accustomed Comission; and by vertue therof confiscable as wee haue made appeer before the Comissioners att hartford according to theire agreement; In the 12th. Article is a generall complaint against the Trad of prohibited goods as Muskets powder and ledd with the Natiues; wee neither will nor can allow or wholly excuse our nation therin but should wee giue more occation of complaints to our side in the case which our naighbours doe Justify in that they continnually euery yeare do by stealth carrying out great quantities of guns and powder into thesse prouinces and supply the Natiues therwith at the 2cond. and 3d. hand notwithstanding the orders and declarations made and Manifested to the contrary to prohibite it heer being as great Inquiry made after such actings as in any place whatsoeuer non Entis nulla accidentia; besides while these thinges are vndescouered they can not bee punished;

The complaint alledged in the 13th. Article against the Erecting of a hand against which all smale vessels are accustomed to Anker and against the Acknowlidgment desiring to bee answared; euery place ma-

king and ordering for the times being such ordinances as they thinke most fitt It seems it is complained of by naighbours as they pretend theire vessels haue been Chased and forced to an Ancker at more vnsutable Places than our owne; And if wee take more strict account of theire negociations then of our owne which neuer was done; And that all Duch shipps in New England are free neuer haue paid anceridges in any place; of which wee can produce good proofe to the contrary: if need Require but see noe cause for it; men being to expect to find lawes in euery place but not to bring lawes with them;

What followeth in the 14th. Article touching the agreement made att hartford and the complaint made therin mencioned, neuer was there any thing done or acted by vs in opposition of our Comitties Willett and Baxter haue Closed or signed to any thinge after the preclose of the Agreement more then the charge and the Instructions giuen them by vs more then theire Comissions and Instructions allow is beyond our knowlidge;

Conserning the Bounds of our Limits and the south Riuer and to forbid trade much more to shutt it vp; any thing but by approbation and agreement declared and assented by our Soveraigne Lords in Europe wee declare over and aboue; the 2cond. point of agreement in the Articles touching the deuiding of the Limits saith in thesse proper words that the Inhabitants of Greenwich shall Remaine vnder the Gouerment of the Duch vntill further Orders and Consideration therin; And to declare that wee would not therfore in any measure shew opposition to the aforsaid Article swee haue not meddled with or Interrupted any of the Subjects of Greenwich nor place itselfe nor haue not made any order or placed Magestrates therin; but left them as Newtralls as at this time wee yett doe till such times as they shalbee desposed of by theire Superiors in Europe according

to agreement what consernes Dellaware bay both before and after during the Arbetration wee haue protested before the honered Comissioners That wee may not admite of any habitation of people to bee therin being contrary to the Comaund of our Superiors ; being conformable to the 2cond. Article of theire agreement and could not in that Regard leaue ourselues without blame and Blemish to our Masters and Superiors. If wee should make soe great a neglect and trespass vpon the Comission and Instructions giuen And by the way not to lett slip the siting downe of the people at Newhauen in the south Riuer of New Neetherland the which wee haue Mannifested vnto them at Newhauen by a former Protest and Dislike to forwarne and aduertise them therof and to hold forth our Innosency from all Dammage or blood shedding which might apparently ensue therby ; And what further consernes the matter and Narratiue in Relation that wee should put theire Messengers into fast hold and take theire Comissions and Instruction from them to the Intent aforsaid the busines being well examined and looked to wilbee found that the Messengers were Civilly vsed and entertained att the house of our Captaine Leiftenant of our towne Martin Crygar ;

To the Conclusion of youer honered letters touching the Conspiracye with the Natiues or Barbaros wild people letting passe our former protestation touching the same there shall neuer any appearance of truth be found in it ; If youer messengers had been pleased to haue made enquiry into the ac- cording to due cource and mannor of law our Innosencye and the truth of our case had ben truly descoured and found out Wee shall not argue further vpon this matter Conscia Mens Recti famæ Mendacia Ridett And it shalbee a brassen bulworke for vs against any which will put vpon vs and our Nation

any falce Rumer or Report or any trouble or Mollestation therby.

And soe proceed to our defence without Intention of offence or taxing any and to vse such meanes as God and the law of the people and the trust and commaund put vpon vs by our superiors, wee haue better grounds than to cloake our proceedings by a falce rumer and report of wild and barbarous people therby to ruine our naighbours to spoile land and people to shedd innocent blood and what Mischeuiousnesse and vnrighteousnesse will further bring with it being put in worke and practice by reason of the vnexpected differences risen between our Superiors in Europe;

What consernes vs forasmuch as wee find ourselues blamles and Innosent and haue heitherto entertained propounded or Intended any thing to the damage of our naighbours by our owne powers and lawfull armes much more by treasonable treacharous designes; for wee remaine yett in the same answare wee gaue to youer Messengers which was faire and satisfactory, viz. Continnuation of peace Correspondency negotiation and naighbourly frindship as formerly wee haue had, with taking notice of any of the differences and warrs arising in Europe betwixt both nations; and to this purpose requested of them safe conduct and free passage for two or three persons to send vnto youer worships touching the same drawen as they att theire first coming desired and obtained of vs which was not by them fully and clearly answared; what further by youer honered selues or theire principalls shalbee desired wee cannot yett fathome; but shall rest ourselues satisfied in that which God shall present to vs; trusting this that hee beeing a righteous judge will alsoe most righteously defend and bless our righteous meanes for a righteous defence; If not wee shall take his righteous Judgments as our punish-

ment and amendment and Comite the success to him;

As touching what happened in the Amboyna busines in the East Indies is vnknown vnto vs neither hath there ben any of us there, therefore wee sease to answare to the same or to trouble youer selues or vs therin.

It is in part as youer Worships conclude that about January there came a strange Indian from the North Called Ninnigrett Comaunder of the Narragansets But hee came hither with a passe from Mr. John Winthorpe vpon which passe as wee remember the occation of his coming was expressed viz. to bee cured and healed, and if upon the other side of the Riuer theire hath ben any assembly or meeting of the Indians or of theire Sagamores wee know not; wee heard that hee hath been vpon Long Island about Nayacke where hee hath ben for the most parte of the winter and hath had seuerall Indians with him but what he hath negotiated with them Remaines to vs vnknowne; onely this wee know that what youer worships lay vnto our charg are falce reports and feighned Informations.

Youer honered Messengers might if they had pleased Informed themselues of the truth of this at Najoth and Gravsend and might alsoe haue obtained more frindly satisfaction and Cecuritie Conserning our reall Intentions if they had pleased to haue stayed a day two or three with vs to haue heard and Considered further of these articles the which now is defered and much to our griefe and defered till another meeting in the mean time after Salutation wee shall remayne as formerly Youer affectionate Frinds and naighbours

PETER STUIVESANT vid.

New Amsterdam 26th. of May 1653

By order of the honered Gouernor Generall and Counsell of New Netherland

CARLE VAN BRIGGE Secretary.

This is a true Coppy uerbatim translated out of the Originall Duch phraise as my vnderstanding will reach;

Per WILLAM AUBREGE.

A short abstract out of the Register and record of Passages betwixt the New Netherlands and the English nation vpon and about the lands and Jurisdictions of the high and mighty the honered West India Companie Scittuate Eastward from us in New Netherland;

Anno 1633 the 8th of January there was by Jacobus van Curlis att that time in the service of this land by order and in the name of the high and mighty our States Generall; and the honered Lords Bewinthebbers bought the lands Scittuate on the fresh Riuer of New Netherland named Sioasock or Connecticott with the dependant thervnto belonging as it was then Inhabited by the Sequelin as may appeer more att large by the said Deed or bill of sales and Witnesses may appeer and may be avouched by liueing Christians;

25th of October There is a protest dated and made by the hadden vpon and against Willam holmes att that time Comaunder and relateing to the English att Plymouth which build the house named Plymouth house vpon our Fresh riuer Scittuate about the fortt the hope demaunding of him to desist from his vndertakeing and depart from thence with all that hee had there from which undertakings hee did not desist but did further vse and frequent the lands of our high and mighty where never any English had ben before vpon the aforesaid Riuer by force of armes Invading and vsurping against the rules of righteousnes to the great Iniurie and vilepending of the Netherlands State and by the apparent great hurt and losse as may further appeer by the protests

and answares of Willam holmes now extant and to bee seen and read;

Since the yeare 1633 vntill the yeare 1640 the English against the said protestation now by them named Conecticott and built hartford vpon the honered companies grounds about a good shot distance from the house the hope built there by the Netherlanders anno 1633 by vertue of purchase from the Sequen Sachems and the Comaunder of Chaloups acted att that time and before;

1640, 25th of Aprill. In the meane time of Hartford haue not onely vsurped and taken in the lands of Connecticott although vnrightiously and against the lawes of nations but haue also in 1640 vpon the 25th of Aprill hindered our nation in sowing theire owne purchased broken vp lands but haue alsoe sowed them with corn; in the night which the Netherlanders had broken up and intended to sowe; And haue beaten the seruants of the high and mighty and the honered Companie which were labouring vpon theire Masters lands from of theire lands with stickes and plow staues in hostile mannor lameing; and amongst the rest struck Ever Duckings a hole in his head with a sticke soe that the blood ran downe very strongly downe vpon his body notwithstanding a Comissioner Mr. Hopkins then Gouernor gaue them warning they did for all that by force of armes hinder our men to Inhabite the land;

The lands of the aforsaid riuer named Conecticott or Sicagothe were bought and possessed anno 1633 by the servants of the high and mighty of the Comaunder of Sickenamais named Nepaquate as Conqueror and Subduer of the foremencioned land and that by speciall Intreaty and Consent of the Right subdued owners of the nation present by and Consent of Captaine Awayasof our Comaunder or Sachem of Schalope bay which with large articles as by Creadable Testimony Witnessing the deed may appeer;

and that long before the English had ben vpon the Riuer.

The 25 of Aprill 1640 The Cunstable of hartford came vpon the land with 10 armed men when the people were plowing; smote the horses with sticks; against which a formal protest is made to Mr. Hopkins then Gouernor hindering the possession of our lands frighting our horses broke theire geares in sunder; afterwards the English did proceed in striueing against all right of the honered Companie; and proceeding vpon the land alsoe by force hindering the people from building the lands; yea with blowes and strokes even to the sheeding blood as can bee justified;

30th of May 1640 one of the honered Companies horses pasturing vpon the vlacts of Siagock which belonged to the Companie was taken away by the Gouernor Hopkins servant vpon pretence that hee had eaten theire grasse; and would bee paied for grasse that grew vpon other mens grownds.

21. of June The English of hartford toke away a Cow and Calfe belonging to that were pasturing vpon the way vlact and brought them into theire village.

28 of June an English Minister tooke of the hay which our masters servants had cut and made vpon theire owne bought and paied for and possessed lands; tooke it away and applyed it to his owne vse without giueing any recompense or satisfaction;

5t. of August The English of hartford obstructed that the Companies seruants could not mowe theire corne which they had sowed vpon theire owne grownd, whervpon Mr. Haines as Deputie Gouernor had a protest deliuered to him by Osdicke.

May 14th. 1640 Wee found some English about Schouts the hempsteed Bay vpon long Island which pretended the honered West-India had placed them there without any Comission which wee tooke from

them and suffered them to depart vndamnified in goods or blood as may appeer by writing vnder theire hand

5t. of October One Daniell Patricke and some other English haue vndertaken contrary to theire said protestation to build vpon the lands of the honered Companie by them called Greenwich; and considering well did find that the said land did belonge to the said honered Companie did acknowlidge the worthy Companie to bee theire patrons and tooke oath of fidelitie as they ought and alsoe freely submitted themselues with all those fornamed Actes of hostillitie the English Nation haue neuer themselues but haue vserped to themselues all the landes of Fresh Riuer or to Stanford or Greenwich Scittuate in the bounds of New Netherland; and that against all appeerance of Right and Numbers of Protestations Issued against it;

5t. of Aprill 1641 The English of hartford by force hindered the plowing of the honered Companies lands Sufficiently beating theire horses and seruants and thrusting them of whervpon they complained to the Gouernor hopkins and haines and sought Redresse but obtained nothing and suffered soe great an affront and battery to passe by with Dulleges

7th of May the English haue spoiled the lands that our men haue plowed and sowen Cuting the Strings of our Plowgh and beating the plow men Sibrant Sibales throwne downe vpon the earth and did throw theire plough and geares into the water and hunted the Companies horses away and acted vnsuportable Injuries to the servants;

26th. of May The English haue sett post and Railes Crosse our Masters ground and thwart our waggon path and stoped vp the way betwixt our village and our wood; soe that wee could neither get wood nor any other nessesaries which was a great affront; wher-

vpon the posts were taken vp by the people to preserue the way to the wood;

17th. June 1641 Those of hartford sold a hogg that belonged to the honered Companie vnder pretence that it had eaten of theire ground grass wher they had not any foote of Inheritance they proffered the hogg for 5s. if the Comissioners would haue giuen 5s. for dammage which the Comissioners denied because noe mans owne hogg (as men vse to say) can tresspasse vpon his owne Masters grownd;

24 June Some of hartford haue taken a hogg out of the vlact or Common and shut it vp out of meer hate or other prejudice causeing it to starue for hunger in the Stye;

26 July The foremencioned English did againe driue the Companies hoggs out of the vlact of Sicojocke into hartford Contending dayly with Reproaches blows beating the people with all disgrace that they could Imagine;

9th Aprill 1642 Capt. Patricke and the Interessed of Greenwich acknowledged themselues vnder the States and to bee settled upon theire lands as may further appeer by theire Acte;

A protest done vpon and against Robert Cogwell Master of the Barque or Catch of Mr. Lamberton of Newhauen because they was about to sitt downe vpon the South Riuer forbiding and warning him not to sitt downe within the Limitts of New Netherland;

Farther wee protest and wash our hands from all losses and broiles that may arise from thence and Cleare ourselues before God and the world Mr. Lamberton although they participation made vse of his Master of his Vessell to answare for him in obeidience to the State not to sitte downe vnles hee tooke oath of fidellitie which being afterwards found otherwise the English were sent out of the south Riuer without molestation either in theire persons or goods;

20 May 1642 The English of hartford haue vio-

lently cut loose a horse of the honored Companies that stood upon the Common or vlact.

23 Day the said English did againe driue the Companies hoggs from the Common into the village and pounded them;

28th. Those of hartford haue taken in and plowed our lands neare the house the hope;

4 October Those of hartford haue denied and hindered Cattell from Mr. Santford that belonged not to them to bee driuen towards New Netherlands;

5t. day Those of hardford haue fetched the Companies oxen out of the Common pasture Sacajocka

April 28. 1643. Those of hartford in the Jurisdiction of the honered Lords the States and vpon theire owne purchased and paied for lands the fortt of the hope doe Report of the Deputie Marshall would pase lawes in his Lordships Jurisdiction to bee obserued although his family were seated without theire Jurisdiction and comaund;

May the sixt They droue all our Masters Cattle to take them to sell them;

9th day The Companies horses pastured vpon the Companies grownd were driuen away by them of Connecticott or hartford and the heardman was lustily beaten with hatchets and stickes;

14th day The Companies Catle was fetched away by the English with swords and driuen away to the village of hartford against which wee lately protested; against the horses on the 5t.

15th. Septem: 1642 The English of hartford haue driuen all the Companies horses from the Companies land to the pound and by reason thereof hindered theire plowing

sixt day The English sold 5 yearling hoggs of the Companies att hartford for 14*s*. 8*d*.

16 day Againe they sold a young hogg belonging to the Companie which piggs had pastured on the Companies land;

12 day Those of hartford haue denied the Comissioners to cut wood which notwithstanding belonged to the Companie as well for wood as others.

1648 The Indians vpon Long Island were forbade to sell land to the Netherlanders notwithstanding the said land by possession was possessed and inhabited long before any Englishman satt downe there.

Further it is knowne to all the world heer in this northeren parte of America that the Duch Nation haue done the English noe manner of Molestation in theire lawfull Rightes but it is very apparent and knowne to all men that these of hartford haue forcably taken to themselues our purchased lands; and namly about the house the hope haue so much lands that the Comissioner with his family Cannot well liue; Conserning the land that they haue passed to vs and hetherto left about 12 Morgan (or acres to corn and pasture land vpon which the Netherland plantation is there hindered and great lose and hinderance is befallen to our Lords and Principalls therby besids many other by past affronts and Injuries; which wee because wee will not arme our selues againe wee will not Repeate att this present time seeing wee thought they were adjourned in the agreement or accord att hartford; and all left Refered to our Superiors in our Natiue Countries to whome wee yett refer the same: Wee therfor desire that all that is heer written in former complaints wee doe not present to the honered Comissioners of New England but through a longing Reluctancy after complaints which is the leading cause to move vs to bring in our greivances to ballence youers the which wee should willingly haue communicated to youer Messengers with presenttation and furthering the meanes of agreement by Indifferent persons which they would not accept; and would not attend soe long till wee had prepared our letters for the honered Comissioners theire principalls; After that the Saboth att Night about six of

the clocke they had deliuered vs theire last writing; alsoe without attending our answare thereto they sought presently to take theire leaues which they alsoe did presently after supper about 9 of the clocke in the euening soe that wee find to send you these ouer land after theire departure the which if it come to youer hands after the parting of youer assembly; you may please to take notice it is not our fault and ouersight with trusting in the meanes Wee Remayne

Your affectionate frinds and Naighbours

PETER STEVISANT,

By order of the Lord Director Generall and Counsell of New Netherland

CARLE VAN BRIGGE Secretary.

New Amsterdam in New
Netherland the 26t. of
May 1653.

A letter from the Duch Gouernor was received the contents wherof are as followeth;

Honorable Sirs

IT hath pleased the bountifull God to quiett and chang that sadd and bloody warr of our superiors in Europe in a desirable peace in a nearer vnion and firmer confeaderacye I haue been hithertoe and ame alsoe still desirouse that the fruites therof may redound to the good and benifitt of both nations which by the prouidence of God were dispersed in these remoat partes of the world farr from their natiue countreyes left vnsettled amongst multitudes of barbarous saluages whose intent and practice hetherto hath been and doth contriue the rewin of the Christian nations therfore the same vnion and feirmer Combination amongst

Christians of one profession the more requisite both for the honor of God and welfare of men according to Christian duty and discharge of Trust which God hath Imposed vpon mee I haue before the aboue mencioned differences vnto the worthy Comissioners by word of mouth att hartford; since by letters to the honorable Gouernors of the seuerall places proposed and vsed all meanes as I did hope that might and would conduce to the efect therof; the consideration of the premises and the reasons thervnto Induceing I leaue still to the wisdome of youer honers and alsoe the appointment of quallified persons conuenient time and place for the accomplishing of soe needful and noe lesse honorable worke The lymitts between youer honers and our deligatts in the yeare anno 1650 agreed and settled both vpon the maine and long Island between New England and this our Intrusted Gouerment are according to the articles of agreement ratifyed and confeirmed by our lord superiors the high and mighty the states Generall of the vnited Belgicke provinces and vnder theire signiture and seale sent vnto vs and shewed vnto Capt. Willet the approbation and confeirmation of his highnes the lord protector being reddy youer honers wilbee pleased to appoint time and place for the Deliuery and interchanging of the principles in the abouemensioned agreement was concluded; The surprising and restoring of fugetiues on either side a very necessary thing in these remoate partes where servants are wanting and hardly to bee gotten strictly to bee obserued experience hath shewed that on either side some defect and fayle hath been therin; for our partes wee are tender and feeling of it that a yeare since seuerall persons as marriners and souldiers and amongst those two keepers of the prison were become fugetiues together with the prisoners; trewly a great hindrance in the adminnestration of Justice where after inquiry was made but for want of timely information non found out For the

preuension heerafter a motion and request vnto youer honers in a very loueing and naighbourly way that youer honers would be pleased to acquaint and order the majestrates in the seuerall Collonies of New England that all persons of noe noat or quallification coming from hence into youer partes without a ticket vnder our hand and seale may bee detained and prisoned to our cost and charg soe long vntill Information may come and returne; att the least that they giue cecuritie and proffe that they are noe fugitiues; if it shalbee youer honers pleasure and request wee shall doe the like; and for your better direction whether some persons which might seeme of any noat or quallitie whether freemen or passengers are such the majestrates of youer honers jurisdictions heerafter may require and expect of the masters of our uessels a list wherin the names and number of the seamen and passengers are expressed; much youer honers would oblige me to returne mee an answare vpon the premises; soe after my due respects comending youer honers to the protection of the almighty I rest youer honers

frind and naighbour

PETER STEUESENT

In Amsterdam N N 22d August 1656.

To which this Answare was Returned as followeth

Honered Sir,

AS the agreement and peace made betwixt our superiors in Europe after soe sad a breach was matter of rejoysing to vs soe the full and feirme continuance therof both in Europe and all foraigne Collonies and plantations belonging to both nations is our desire and in reference to our selues shalbee our constant Indeauor what you propound about a nearer vnion was

by you mencioned att hartford 1650 and left to a Resolution or further consideration the next yeare att Newhauen; but as you neither came nor sent thither soe both your selfe and Counsell well know what hath passed since to the losse and damage of some of the English; att a meeting six yeare since seuerall former greivances in the time of youer predecessor Montseire Keift were Respeted till youer selfe might acquaint the high and mighty states and West India company with the particulars; That soe due Reparation might be made of which wee yett hear nothing from you; the bounds and limites betwixt both nations both on the maine and on long Island were then settled and ordered to bee obserued till a full and finall determination therein were agreed in Europe by concent of such states; though wee now heare you haue if you doe not still make a claime to the English plantation att Oyster Bay with some threatening speeches that you will bring them under youer Duch jurisdiction though by force which wee are slow to believe till wee haue the truth and grounds from youer selfe; wee know of noe defect or breach of agreement on our partes the case of fugitiues you may and it seemes doe Remember what passed att the Manatoes about one English fugitiue you seazed John young a marrinor of southhold and the estate hee had with him when he came peacably to trade att the Monatoes before hee had done any hostile acte against any of youers onely as wee conceiue because hee had receiued a Comission from Road Iland of which wee had noe knowlidge much lesse gaue concent according as thinges stod then betwixt the two nationes in Europe; if you thinke not fitt to restore and Repaire any of his losses yett wee hope you will giue him in his bondes for trew Imprisonment that both himselfe and his surties may bee free from future questions and himselfe may haue free libertie to trade within the Duch prouince; you haue intimated somthing

butt as yett haue made noe satisfying resignation of Greenwich wee take noe pleasure in any contests if you please to imparte youer owne and youer Counsells mind in the premises to the Gouernor of Newhauen hee will Transmitt it to vs Wee rest

youer loueing Frinds and Naighbours

Signed by all the Comissioners;

Plymouth September
17*th* 1656.

Vpon a motion of the Comissioners of the Massachusetts The Insueing letter was sent to the Duch Gouernor:

Much Honored Sir,

WEE presume you haue heard from youer people of the Fort of Orania That some of our English haue bin lately in those partes vpon Discouery of some meet place for plantation within the bounds of the Pattent of the Massachusetts Collony; which is from the latitude of 42 degrees and 42: and 30 minnites; and soe Northerly extends itselfe from east to west in Longitude through the maine land of America from the Atlantick ocion to the South or West Sea; and wee vnderstand that the Gouerment of the Massachusetts haue graunted libertie to some of theire people to erect a plantation in those partes; and intend to effect the same; yett without entrenchment of the Dutch Rights; and forseeing some Difficulty to be begin a plantation att such a distance by land and that the passing vp hudsons Riuer would uery much accomodate them in theire designe wee haue thought good on theire behalfe to desire libertie of free passage for the said planters by youer townes and Forts vpon the said Riuer to the said lands they demeaning themselues

peacably and paying such modarate Dutyes as may bee expected in such cases; which being soe concordant to Reason and the custom of Ciuill Nations liueing in Amitie doth begitt in vs a confidence that you wilbee very slow by an vnreasonable Deniall to Interupt the Naighborly correspondency that hath bin between the English and Duch Collonies; For the exact bonds of the Massachusetts Pattent wee leaue to that Gouerment to cleare onely wee conceiue the agreement att hartford that the English should not come within ten miles of hudsons Riuer doth not prejudice the right of the Massachusetts in the vpland countrey nor giue any right to the Duch there; That agreement intending onely the differences between Conecticott and Newhauen and your selfe on the sea coast there being att that time noe difference between you and the Massachusetts; and neither Conecticott nor Newhauen pretending any right to the lands vp the Countrey within the line aforsaid; Sir be pleased to returne youer answare to Mr. Endicott Gouernor of the Massachusetts from whom wee may vnderstand youer resolution; the lord direct youer thought to waies of peace that amity and good Naighborhood may be continued with;

Sir

your frinds and Naighbours

The Comissioners of the vnited Collonies and signed by all the said Comissioners

Hartford the 7 *of the seventh Month* 1659

The honorable Peter Stuyvisant Director Generall of the New Netherlands Coraso &c: appeering before the Comissioners the 9th. of this Instant exhibited his complaint for the non observance of the Articles

of agreement made and concluded between the said English Collonies and himselfe att hartford Anno dom: 1650 for prouinciall bounds between the English plantations and New Netherlands as in the said Articles is more particularly expressed; and alsoe made his proposall to the Comissioners whether they accounted the said Articles of agreement to remaine still in force and oblidgeing or not;

The matter of complaint appeering to bee more emediately against and refering to the claime of Conecticott Jurisdiction the Comissioners for that Collonie gaue theire answare in writing as followeth;

THE Comissioners for Conecticott doe declare that their generall Court haueing had no notice of the Intention of the Right honorable Gouernor Peter Stuyvesant to make application to the Comissioners of the vnited Collonies and the Question being of great concernment there may bee occation of the presence of some persons principally concerned in the place and proffes of some matters which nearly concerne the question in hand therefore wee humbly craue a Respet vntill the next meeting of the Comissioners att hartford

JOHN WINTHORP
JOHN TALCOTT

The Comissioners for the vnited Collonies after some debate and consideration of the premises doe judge meet for their indemnitie to declare That saueing theire allegence and Duty to his Majestie our Royall Souereign together with his Majesties Claime and just Rightes to the Lands in controversy; and the Right of Conecticott Collonie by theire Charter and late graunt from his Majestie they for theire partes doe account the aforsaid articles of agreement 1650 to bee binding according to their true intent and meaning and that they will not countenance the violation therof;

alsoe the Comissioners doe further offer it as theire aduice to both parties concerned that a full hearing of the Controvercy may bee attended att the next meeting of the Comissioners at Hartford 1664 where all parties concerned may come with full power for determination therof; and that in the meane while all thinges may remaine and bee according to the true Intent and meaning of the aforsaid articles of agreement; any claime or obstruction made by the Jurisdiction of Conecticott Notwithstanding; and that the persons Inhabiting the said place in controversye with theire lands and estates bee acquitted from all damage and penaltie which they are or might bee liable vnto for any theire proceedings or acteings against the authoritie and Rightes of the Duch of theire claime vnto the same

SIMON BRADSTREET, Presedent
THOMAS DANFORTH
THOMAS PRENCE
JOSIAS WINSLOW
WILLAM LEETE
BENJAMINE FEN;

The Duch Gouernor returned as followeth;

Considerations and Answare vnto the exhibited writing of the great and esteemed Gentlemen the Comissioners of the vnited Collonies of New England;

The much esteemed Gentlemen Comissioners doe by mistake quallify vs as Lord Generall of the Duch plantations in America; there being seuerall other duch plantations in America which are not comitted to our gouerment neither doe belonge to vs; wee reply and answare thervnto heerby; shall by Captaine Willett being desired as Interpretor wee haue requested and supplycated a frindly and Naighborly That for the question concerning East Dorfe by the English

being called West Chester and all other Debates of that nature might bee Removed and taken away to the end that wee now and heerafter may converse and liue in vnitie peace and concord together in this Wildernesse in which is soe many barbarous Indians and this hath bine sought under the style and quallitie of Director generall of the New Netherlands and Carasoe and in Reference vnto the high and Mighty Lords the States Generall of the vnited Netherland; and soe much esteemed Lords formerly of the west India Companie, vnder that style and quallitie and not otherwise; it hath bine Requested of the honored Comissioners a Cattagoricall declaration whether those articles of agreement; and limitations made att hartford Anno 1650 doe yett Remaine feirme and oblidging; wherin according to theire Judgment and Justice the lymetts of hartford by theire new obtained Pattent shall extend westward between New England and New Netherlands: The answare after sundry debates the honored Comissioners haue bine pleased to giue in writing though conditionally and not soe cattagorically as wee had expected; Neuertheless wee acquiesie in the same viz: That what was agreed vpon in the yeare 1650 prouisionally in and about the limetts and bounds according to Right vnderstanding; Remaines feirme and oblidging vpon the condition of the high Mighty Lords States Generall of the vnited Netherlands; and the truely esteemed West India Companie receiue theire true Right and title which they haue or may pretend vnto all the lands and bordering of the fresh water Riuers; and what lies between the same; what concernes the conceiued complaint towching the East Towne by the English called West Chester vpon which the honered Comissioners of hartford Collonie haue giuen theire Reply; That for the present they are vnprepared to giue answare and thervpon doe desire that the question or difference something the same may bee

defered till the next meeting; the which appeers as cleare as the Sun that shines att noone day to bee but frivilous expressions taken from the letters as well from the honered Gouernor Winthorpe as from the court itselfe; and for the preuension of further Distempers yea bloodsheed it selfe; Wee declare to bee Reddy and willing to put and comitte this and other questions in difference vnto any Impartiall Comittee not concerned in either Right; chosen by both parties of like number; holding the aduise and concluded proposition; and the Request of hartford Collonie concerning the case in question to remaine as it was before; the which being done wee Covenant and promise heerby that none of the Inhabitants of Westchester nor any other shall haue any wronge or Injury done them Touching the same; in case not wee declare in the behalfe of our honer oath and office and in the defence of what is betrusted to vs; to bee nessesitated to take such meanes by the hand as god Almighty and the superior power shall afford vs; Wee hope that the honered Comissioners them selues and all to whom this may be shewn will take notice heerof that wee haue condescended ourselues to render what is nessesary vnto answare; to the auoydeing of any further euill

PETER STUYVESANT

Giuen in Boston this 21*st September* 1663.

This agreeth in substance with the originall according to the best vnderstanding of

youer honors humble servant

SIMON LYNDE;

The Duch Gouernors 2cond letter to the Comissioners followeth;

RIGHT HONERABLE SIRS

IN persuance of the happy confeaderation Naighborhood and correspondency of our Superiors and both nations in Europe; I am earnestly desirous and uery hopefull that the same may bee attained and attended here; the uery end and scope of it was cause of my waiting vpon youer honors; a settleing of lymetts; whereby former and future questions of that nature might bee remoued and preuented; but finding the matters in question soe difficult and youer honors demaunds soe great and hevy that in noe measure answarable to my superiors can condescend in it; and therfore to my greife nessesitated for to refere the matters vnsettled to both superiors; in the meane while wee shall Request youer honors consideration and answare vpon these two following propositions

1. Whether there may not bee between the nations heer such Correspondencye and trafficke with the goods and grouth of this poore Countrey as in Europe vnder that clause is admitted there;

2. If vpon any equall and Reasonable tearmes there may not bee Pitched vpon Naighborly Confederacy and vnion against soe great multitude of barbarouse Indians as the Christian people of both Nations are dispersed amongst; whervnto expecting onely youer honors answare I shall Remaine and Svbscribe myselfe,

Right honorable sirs

youer humble servant and naighbour

PETER STUYVISANT

Boston September 23 1663

In Answare whervnto the Commissioners Returned as followeth

Honorable Sir

WEE not assumeing or accepting youer honors superlatiue title giuen vs in youers of the 23d Instant doe Reddily youer Desire of mutuall Correspondency may bee continued by those of the two Nations in these partes; but are not consiensious to ourselues of any neglect as to furtherance therof; nor can wee owne any Inequallitie in our proposalls for future settleing of prouisionall bounds; and should wee returne youer owne words which wee conceiue wee justly might; It would haue little tendency to the end proposed; youer honor well knowes our demaunds heerin haue bine short of what in strictnes wee might haue Insisted on the Intent of the English claime by Pattent haueing long since bine declared to youer honor and Challenged at the meeting at hartford Anno (50)

To youer honors first proposall for correspondency in trafficke wee answare that contrary to the acte of Parliament for Regulateing of trade wee may not acte But otherwise wee willingly accept youer honors desire of mutuall commerce and wee know not of any acte of Restraint made by vs;

Youer honners 2cond proposall is of great waight and worthy of seriouse consideration how both English and Duch may so demeane themselues towards the barbarous natiues as not to provoake them by doeing them wrong nor yett suffer any injury from them; The which wee find a matter of great labour and difficultie; and such as may make vs slow of entering into engagements with others who are more remote from vs whose complaints and grieuances wee shalbee less able to vnderstand the true grounds thereof; yett Neuertheles wee are willing to present

youer honors motion to our respectiue generall courts where if it find acceptance youer honor may expect an answare of by the first oppertunitie:

SIMON BRADSTREET Presedent
THOMAS DANFORTH
THOMAS PRENCE
JOSIAS WINSLOW
JOHN WINTHORPE
JOHN TALCOTT
WILLAM LEET
BENJAMINE FEN;

Boston Septem. 15 (63)

[CONDITIEN &c. AMSTERDAM, 1656.]

CONDITIONS *offered by the* BURGERMASTERS *of the City of* AMSTERDAM, (*according to an Agreement made with the* WEST INDIA COMPANY, *and with the Approbation of their* HIGH MIGHTINESSES *the* STATES GENERAL *of the* UNITED NETHERLANDS) *to all who are willing to settle in New Netherland; who must apply to the Honorable Messrs.* Coenraed Burgh, *Counsellor and formerly Alderman*, Henry Roeters, *Upper Commissary of the Exchange Bank*, Edward Mann, Isaac Van Beeck, Hector Pieterson, and John Tayspel, *as Commissaries and Directors, appointed for this Purpose by the Burgermasters aforesaid, by Authority of the Council of this City, who are to sit and hold their Meetings at the West India House on Tuesdays and Thursdays from Noon till half an Hour past two o' Clock.*

I.

THE Colonists who are going thither shall be transported in suitable Vessels, with their Families, household Furniture and other Necessaries.

II.

The City of Amsterdam shall make the best agreement they can with Owners of Vessels for the Transportation of Persons or Goods.

III.

The said City shall advance the Freight Money, provided that afterwards the said City shall be repaid in manner hereafter mentioned.

IV.

The City aforesaid, to the End that the said Colo-

nists may live there safely, honestly and prosperously, shall acquaint them with what follows.

V.

First The said City shall provide a fruitful Soil, in a healthy and temperate climate, watered by and situated upon a fresh Water River, to which large Ships may sail. For which Purpose an Agreement is made with the West India Company for a Place, which is at their Disposal, and to which no other persons haue any pretensions.

VI.

There the City shall lay out a proper Piece of Land, by the Riuer Side, for the Habitation and Residence of the Colonists, and fortify the said Land with a Trench without and a Wall within; and divide the inclosed Land into Streets, a Market, and Lots, suitable for the Service as well of those who carry on Merchandize and Trades, as of Farmers; and all this at the Expence of the said City.

VII.

The City of Amsterdam shall send there a proper Person for a School Master, who shall also read the holy Scriptures in public, and set the Psalms.

VIII.

The City of Amsterdam shall also, as soon as they conveniently can, provide a Salary for the said School Master.

IX.

And to the End that the Colonists going thither, may be provided with all Necessaries, as is proper, the City of Amsterdam shall provide the said Colonists, for one year, with cloathing and provisions, and all kinds of grain for sowing and moreover shall build, in the place aforesaid, a large Magazine or Warehouse, wherein they shall keep all their Goods both for the cloathing and subsistence of the people. They shall also keep a Factor there, who shall provide eve-

ry thing necessary for cloathing, house-keeping and farming, and sell them at the same prices they are sold at here, the Company's toll excepted.

X.

Concerning the Company's toll, it shall be paid at the rate hereafter mentioned in the list; and the City shall also take care in process of time that the toll which shall be paid in New Netherland, shall be employed in building and supporting public works, by those who shall be authorised therto by the West India Company and the City.

XI.

The said fortified place, allotted for the residence of the Colonists, whether we call it a City or Town, respecting the police or distribution of Justice, and especially the matter of descents shall be regulated in the same manner as here in Amsterdam.

XII.

They shall first haue one *Schout* or Officer, as the Head of Justice, appointed in the same manner as here.

XIII.

The *Schout* shall be appointed in the name of their High Mightinesses and the West India Company, by the Deputies of Amsterdam, who, for this end, by Power of Attorney shall giue authority to the Director.

XIV.

They shall moreover haue three *Burgermasters*, who shall be appointed by the common Burghers out of the most honest, fit and rich.

XV.

And fiue or seven *Schepens*, for which purpose the body of the Burghers shall nominate a double number, that the Director by Attorney, as is mentioned

in the 13th article, may make an Election out of them.

XVI.

The City or Town, being increased to two hundred Families or upwards, shall themselves choose a *Common Council* of 21 persons, who shall meet with the Burgermasters and Schepens, and consult in the same manner upon all causes relating to the Government of the City: and this Common Council being once instituted, shall thereafter be able, in case of the death of one or more of their Members, by a new Election, unanimously or with plurality of voices, to fill up the vacancies: in like manner the said Common Council shall annually choose the Burgermasters as aforesaid, and shall also haue the nomination of a double number, from whence the Schepens shall be chosen as aforsaid.

XVII.

The Schepens shall determine causes for all sums under one hundred Guldens, but in all exceeding one hundred Guldens the party aggrieued shall be allowed an appeal to the Director General and Council of New-Netherland.

XVIII.

The said Schepens shall also pronounce sentence in all criminal causes, but an appeal therefrom shall be allowed.

XIX.

The City of Amsterdam shall agree with a smith, a wheel-wright and a carpenter, to go and live there, for the conveniency and service of the Colonists.

XX.

The City of Amsterdam aforesaid shall divide all the Lands round about the aforesaid Town or City into suitable Fields for plough land, pasture and meadow land, and make proper allowance for roads.

XXI.

Every Farmer shall have, in free, fast, and durable propriety, so many morgens, as well of plough-land as meadow, as he and his family can improve and will want for grazing, if it be 20, 30, or more morgens; provided that all such lands, which shall be given and conveyed in fee to the Colonists, shall by them, in two years from the conveyance, be brought under cultivation, on penalty of their being taken from them and giuen to other persons.

XXII.

Each of the Colonists shall settle and enjoy his land freely, without paying any poundage, horn-money or salt-money for ten years, reckoning from the year in which the land is first sown or pastured, which ten years being expired, they shall not be taxed higher than those who are taxed lowest in any other District under the Government of the West India Company in New Netherland: they shall also be free from the tenths for the term of twenty years, reckoning from the year in which the lands were first sown; and the said twenty years being expired, the tenths shall be given to the City of Amsterdam; always understanding that the half of the said tenths shall be applied to the support as well of public works as of persons employed in the public service there. In like manner also, whenever any poundage or other charge shall be paid, the money shall be employed in making and supporting public works, and paying the salaries of persons in the service.

XXIII.

The City of Amsterdam shall give order that during and after the sending ships from Holland to load and bring over corn, seed, wood, and all other kinds of merchandizes, the most useful of the Colonists shall in like manner be at liberty to hire particular ships, provided they be consigned to the City of Amsterdam.

XXIV.

The City of Amsterdam shall for this purpose have proper store houses here,—store the grain and other goods of the Colonists,—sell them for the benefit of the Colonists,—and return their proceeds in such articles as the owners shall direct, deducting only two per cent. for commissions, and one tenth of the nett proceeds, in payment of the disbursements made by the said City for the freight and passage of the persons and goods of the Colonists; and that so long as till the aforesaid disbursements are refunded and no longer.

XXV.

The Colonists in New Netherland who want any thing shall take it out of the City's Warehouse, at a fixed price, provided that the account thereof be sent over with the Colonist's goods, that it may be deducted therefrom.

XXVI.

The Colonists may, for building houses and vessels, and carrying on trade, cut as much wood as they think fit, without paying any thing for it, not only in the nearest and most handy forests, but also in any other place situate in the district and under the jurisdiction of the company in New Netherland, and not already granted to, and owned by, any particular person; provided they submit to the regulations in that behalf already made, or that hereafter may be made, as in article XXVIII.

XXVII.

The Burgermasters of Amsterdam, as the founders and patrons, and having the jurisdiction, shall appoint the secretary, post, and other inferior persons.

XXVIII.

The hunting in the woods, and the fishery on all the waters and rivers, not heretofore owned by other persons, shall be free to each of the Colonists, under

certain regulations to be made respecting them by the authority of the Company, or their High Mightinesses.

XXIX.

The City of Amsterdam shall see that all the tools and instruments necessary for farming, shall be transported free, and without paying recognition.

XXX.

Any of the Colonists who by himself, or his family, or any person in his service, shall discover any minerals, chrystals, precious stones, marble, &c. of whatever nature the same may be, may possess and keep them as his own, without paying any imposition or recognition for them, for the term of ten years; but after the expiration thereof he shall be held to pay the Company one tenth part of their proceeds.

XXXI.

The City of Amsterdam shall cause a convenient Warehouse to be made ready here, wherein shall be deposited all the goods which the said City intends to send to its Colony in New Netherland, where they may be visited by any person appointed by the Directors of the West India Company, under the Inspection of a person appointed for that purpose by the City of Amsterdam, and marked with the marks of the City and Company, and the recognition therefor being paid to the Company according to the list.

XXXII.

Which then may be laden, with the knowledge of the Company, in any vessel or vessels, which the said City shall be able to obtain.

XXXIII.

If the City of Amsterdam shall ship any goods on freight in any vessel to New Amsterdam, they shall submit to the same rules as others.

XXXIV.

But if the City of Amsterdam shall send away its own or any chartered ship laden only with its own goods, it shall send that ship or ships directly to its own City, Town, or Colony, provided that all the goods laden on board shall be advertised in the City's Warehouse there, under the inspection of any one of the Company appointed for that purpose, to whom also the letters and commission from the company shall be delivered.

XXXV.

In like manner all wares, produce or merchandize, imported from the City's Colony, must be brought here, and advertised in the City's Warehouse under the Inspection of a person appointed for that purpose by the Company, and the duties due to the Country and the Company must be paid out of them according to the rates specified in the following list.

THE LIST

		Gulds.	Sty.	p.
For 100 Gulders, Duffils 2 1-2 pieces	Convoy at 8 styvers per piece with 1-2 advance - -	1	6	8
	Recognition at 12 per cent.	12	0	0
		13	6	8
For 100 Gulders, Blankets 28	Convoy, *ut supra*, with the advance	1	17	
	Recognition at 12 per cent.	12		
		13	17	0

		Gulds.	Sty.	p.
For 100 Gulders, Shirts, Stockings, Shoes, Pedlars' ware, † Nurenburg Wares, and † Hats Goods not included in the list of Convoy	Convoy at 4 Styvers per piece, Flemish, and advance -	4	8	8
	Recognition here 6. per c.	6	0	0
		10	8	8
For 100 Gulders, Woolen Cloths, Says, Serges, and other Silk, Woolen, or Worsted Stuffs, Linen Cloths,	Convoy with the advance	1	10	0
	Recognition here -	6	0	0
		7	10	0
For 100 Gulders, Oil and Spanish Wine	Convoy, about - -	2	15	
	Recognition - - -	6	0	0
		8	15	0
For 100 Gulders, Vinegar, 6 Hhds	Convoy with the advance	8	0	0
	Recognition, 6 per cent.	6	0	0
		14	0	0
For 100 Gulders, French Wines 4 Hhds.	Convoy with the advance	1	13	
	Recognition, 6 per cent.	6		
		7	13	

		Gulds.	Sty.	p.
For 100 Gulders, Brandy, 1 Hhd.	Convoy with the advance	1	13	
	Recognition	6		
		7	13	
For 100 Gulders, Distilled Waters, 12 Ankers	Convoy, *ut supra*, -	3	6	8
	Recognition, 6 per cent.	6		
		9	6	8
For 100 Gulders, Nails, 900lb.	Convoy, *ut supra*, -	3	12	
	Recognition - -	6		
		9	12	
For 100 Gulders, Rice, Spices and Grocery	Convoy, *ut supra*, about	2	8	
	Recognition here -	6		
		8	8	
For 100 Gulders, Hops, three Schippel	Convoy with the advance	7	4	
	Recognition here -	6		
		13	4	

All materials and necessaries for farming and the exercise of trades are free from recognition.

All produce of New Netherland is free from recognition on importation, as are all kinds of salted or dryed fish, taken there.

Peltry, as beavers, otters, &c. pay 8 per cent.

Besides the aforesaid duties here, there must be paid on all goods in New Netherland, 4 per cent. in light money, reckoning the Rix-Dollar at 63 Stuyvers.

L. S. W. EVERSDYCK

(M. S. Copy.)

ACT of Approbation of the therin inserted Extract of an Agreement (or Treaty) made and concluded at HARTFORD, *relative to the Line of Partition between* NEW NETHERLAND *and* NEW ENGLAND, *and other Matters.*

THE STATES GENERAL of the United Netherlands, To all those who shall see, or hear these presents read SEND GREETING and make known, That there hath been deliuered unto us, by order of the Directors of the In-Chartered West India Company at the Chamber of Amsterdam, the Extract out of the articles of Agreement heerafter mentioned, made and concluded at Hartford in Connecticut the 19th of September 1650, relating as well to the Line of Division between New Netherland, and New England, as to other Matters, in the words following, that is to say,

> Extract of the Articles of Agreement made and concluded at Hartford, situate in Connecticut the 19th September 1650 between the Deputies of the Honorable Commissioners of the united English Colonies and Peter Stuyuesant, Governor of New Netherland.

With respect to the Line of Division and Jurisdiction between the United English Colonies, and the Dutch Province of New Netherland, wee agree and conclude as follows,

FIRST That on Long Island, a Line drawn from the Westermost part of Oysterbay, and thence in a

direct course to the sea shore, shall be the Line of division between the Dutch and English on Long Island; the Eastern part for the English, and the Western part for the Dutch.

SECONDLY, The stations on the main land shall begin on the West side of Greenwich Bay, being about four miles from Stanford, and thence to run a northerly course into the countrey Twenty miles, PROVIDED, that such Course do not come within Ten miles of the North-Riuer; But hereafter the Line shall run as shall be agreed upon by the two Gouernors, that is the Dutch Gouernor and the Gouernor of New Hauen: It is further agreed that the Dutch hereafter shall build no houses nearer to the said Line than six miles. The Inhabitants of Greenwich shall remain under the Government of the Dutch, until further order and consideration.

THIRDLY, The Dutch shall hold and possess the lands att Hartford, as they now actually possess the same, and as the same is known by diuers marks, and remarkable places: But all the remaining Lands on both sides of the Fresh Riuer shall be and remain for the English.—It is further agreed that the aforesaid Boundaries or Limits, as well on the Island as on the main land, shall be obserued and remain unmolested, both by the English United Collonies and the Dutch nation, without any further extension or trouble on either side, until that matter is finally concluded and determined in Europe, by the mutuall consent of both the states of England and Holland.

With Respect to Fugitives,

It is agreed that the same Regulations shall be obserued between the united English Colonies and the Dutch nation in these western parts of New Netherland, as is established in the eighth Article of the Agreement made between the English united Colonies.

What relates to the Proposition of a closer Union and Friendship between the English and Dutch Nations in these Western Parts, especially against a common Enemy,

We conceiue it is necessary that that Matter should be taken into mature consideration by the United Colonies; and desire that the same may be made known and recommended to them, that proper Resolutions may be taken by them in that respect, against the next yearly meeting of the Comissaries.

IN TESTIMONY of our unanimous Consent to the foregoing seuerall Conclusions, we haue signed these with our own hands the 19th September, Anno 1650.

Signed { SIMON BROADSTREETE
THOMAS PRENCE
THOMAS WILLET
GEORGE BAXTER }

Which articles in the aforesaid Extract mentioned having been maturely considered, were approued of, and ratified by vs, and wee do heerby approue of and ratify the same: And therefore desire and order that the Meaning and Contents therof may take effect and be strictly obserued and complied with by all and euery person and Persons whomsoeuer under our souereignty, without doing, or suffering any thing to be done contrary therto, on pain of Incurring our highest displeasure, inasmuch as we haue deemed the same to be beneficial for that country.

Thus done and giuen at the Hague under our Seal, and the Mark and Signature of our Secretary, on the 22d February 1656.

Upon Examination these are found to agree with the Record therof in the Secretary's Office of their High Mightinesses

(Signed) H FAGEL

LAUS DEO.

EAST-HAMPTON

BOOK OF LAWS.

June ye 24th 1665.

Q q

LAWES

Establisht by the Authority of his Majesties Letters patents, granted to his Royall Highnes James Duke of Yorke and Albany; Bearing Date the 12th Day of March in the Sixteenth year of the Raigne of our Soveraigne Lord Kinge Charles the Second

Digested into one Volume for the publicke use of the Territoryes in America under the Goverment of his Royall Highnesse

Collected out of the Several Laws now in force in his Majesties American Colonyes and Plantations

Published March the 1st Anno Domini 1664 at a General meeting at Hemsted upon Longe Island by virtue of a Commission from his Royall Highness James Duke of Yorke and Albany given to

Colonell Richard Nicolls Deputy Governeur, bearing date the Second day of Aprill 1664.

Absence.

IF any Justice or high Constable shall bee absent from the Sessions held within that Riding he shall pay for every Dayes absence ten pounds and every petty Constable for each default shall pay five pounds Provided that it shall be Lawful for the Justices upon the Bench to discharge any Constable from his Appearance if they shall think fitt.

Actions.

That all actions of Debts Accompts Slanders and Actions of the Case concerning Debts and Accompts

shall be tryed within that Jurisdiction where the Cause of action Doth arise.

All actions of Debt or Trespasse under the value of five pounds between Neighbours shall be put to Arbitration of two indifferent persons of the Neighbourhood to be nominated by the Constable of the place; And if either or both parties shall refuse (upon any pretence,) their Arbitration: Then the next Justice of the peace upon notice therof by the Constable shall choose three other indifferent persons; who are to meet at the Dissenters charge from the first Arbitration and both plaintiffe and Defendant are to be concluded by the award of the persons so chosen by the Justice.

In all differances under five pounds not triable in Courts, the Constable is to have one shilling for naming Arbitrators to whom if the Difference be refered, they shall have two shillings six pence each.

If it comes to the Justice, he shall have seaven Shillings and Six pence, the Arbitrators (he appoints) five Shillings each, and the Constable for his trouble two Shillings Sixpence, This to be paid by the party is Cast.

If any Person shall pretend his Debt or trespasse to be above five pounds, and on the hearing it shall appear to the Court to come under that vallew, in such cases the Plaintiffe shall lose his action and pay the Defendant Cost.

All actions or Cases from the Value of five pounds to Twenty pounds, shall be tryed at the Sessions within that Jurisdiction from whence there is to be no appeal unless the debt appear to be above that summe of twenty pounds, or where there is a dubiousnesse in the expression of the Law, Which doubt made by one, if it tend to the Causeless vexation of ye other Party; the other Person so offending shall pay all the charges.

Actions of Assault or Battery Breach of the peace or the like are to be tryed at the sessions within the Jurisdiction where the offence is Committed for which the Justices of the peace may take Baile or Commit to Prison such offenders to the next Sessions:

Any Person renewing his Suit or Petition or Revew Causeless The plaintiffe shall pay the whole charges of the Court and be Lyable to a fine; But if the Defendant be in the fault, the Just Charges shall be imposed on him.

Any Person falsly pretending great damages & Debts to vex his Adversary; shall pay trible Damage.

The Plaintiffe may have liberty to withdraw his Action and be non Suited (if he see cause) before the Jury give in their Verdict, but hee shall pay full cost and Charges to the Defendant.

All Actions of the Plaintiffe; with his decleration shall be entered and filed in the Clarkes office eight Days before the Day of hearing, to the end that the Defendant may (if he please) take a Coppy thereof and provide his Answer Which is also to be filed by the said Defendant: And the Judgement if for the plaintiffe shall be Endorsed on the Declaration: If for the Defendant on the Answer, and all Evidences conscerning that Cause, are to be filed together and remaine in the hands of the Clarke.

Where an Action hath been once entered for proses in Court Although the Difference shall be composed between both parties before they come to a Tryall; yet the plaintiffe shall enter such Agreement in the hands of the Clarke of the Court, And so shall have Liberty to take his Action off the file, paying only for the Entry of the Agreement as for the Entry of the Action; upon forfeiture of ten Shillings for each Session which this first entry of the Action remaineth upon the file.

Administration.

Upon the Death of any person the Constable with two Overseers of the parish shall Repair to the house of the deceased party to enquire after the manner of his Death and of his Will and Testament and in Case none doth Appear, or shall be produced, it may be taken for granted that the Person Dyed intestate And in the Presence of the Widow Children and other Relations, if any such therebe or if any such refuse to be present, It shall be lawful for the said Constable in the presence of the Overseers to make a due Search and enquiry after the estate of the deceased and within eight & forty hours after, he is to deliver in writing & upon Oath his full knowledge, to the next Justice of the Peace and the said Justice of ye peace is impowered to send out warrants to take Security against any embezelment or disposal of ye said Estate under any pretence whatsoever, untill the next Court of Sessions where all Cases of Administration within that Liberty shall be Adjudged.

The Estates of all Persons dying intestate who have neither the Relations of Children Brothers or Sisters or their Children Uncles or Aunts or their Children for want of such heires shall, Elapse to the King Provided always that Such Elapsing shall not hinder the Lawfull Claymes of any Such Relations afore mentioned, if it be made appeare upon Oath to the Court, within one Year and Sixweeks.

That no Administration be granted untill the third sessions after the parties decease, except to the Widdow or Child, and then to be immediately granted to the said Widow or Child bringing in Sufficient Security for the performing all things the Law requires and saving the Court harmeless, And in case the widow or Child do Administer the Estate shall be Inventoryed and Apprisement made by four Men appointed by the Court and sworne by a Justice of peace which Inventory or apprizement shall by the said wi-

dow or Child be brought into the next Court of Sessions, unless the Court for reasons showed them may think fitt to grant Liberty to bring it in the Court following. But in case the deceased Dye without widow or Child, then the estate, for the better improvement thereof shall be sould by order of the Court at an Outcry, and the purchasers all puting Security, and Acknowledging Judgment for their debt which by the Court shall be Assigned to the several Creditors of the decendant, and paid according to the priority of Law and the Surplusage remaining, if any, to be delivered to the next kinsman of the descendant, if he appears or if none prove himself such within one year and six weeks, Then the Court to give an accompt of the said Surplusage to the Governour. And when the widow or Child Administers the surplusage after debts paid and the funerall Charges according to the quality of the person allowed for, shall be equally divided between the Widow and Children, viz. one third of the personall Estate to the widow and the other two thirds amongst the Children, provided the Eldest Sonne shall have a double portion, and where their are no Sonnes the daughters shall Inherit as Copartners, and if any of the Children shall happen to dye before it come to age his portion shall be divided amongst the Surviving Children.

Whoever pretends to Administer upon any Estate shall bring to the Court Sufficient Security, before the Order shall be granted, And an Order thus obtained legally by giving in such Security to be truly accomptable to bring in a true Inventory, and to perform such things as Administered by Law are, required or enjoyned, shall not any time after be reserved, unlesse the party that obtained the Same, dye before he hath given an Accompt of the estate and obtained his Quietus in which case the Court is Impowered to grant the Administration of that Estate so not Accompted for to some other person who may by virtue

thereof call the heirs Executors or Administrators of the former Administratores to accompt who shall pay out of the deceased Administrators Estate all such debts as shall be found due to the estate he administered upon in the first place.

If any Executor nominated in any will and knowing thereof shall not at the next Sessions which shall be above thirty days after the decease of the party; or shall not cause the same to be recorded by the Recorder or Clarke of that Court within that Jurisdiction the deceased party last dwelt. Or if any person whatsoever shall not within the same time take Administration of all such goods as he hath, or shall enter upon of any party deceased, or if any person or persons shall alienate or Embezell any lands or goods before they have proved and recorded the will of the deceased or taken Administration, every such person so administering, or Executing shall be lyable to be sued, and shall be bound to pay all such debts respectively as the deceased party owed whether the estate of the deceased weare sufficient for the same or not and shall also forfeit.

If any person shall renounce his Executorship or that none of the friends or kindred of the deceased party that shall die intestate shall seeke for Administration of such persons Estate, then the Constable of the Town where any such person shall die, shall give notice thereof to the next Court of Sessions; that so the Court may take order therein, as they shall think meet, who shall also allow such Constable due recompence for his pains But if the Constable shall fail therein, he shall forfeit forty Shillings to the publigue Treasury.

That the Clarke of the sessions when he carries the Probates or Commissions of Administration to be signed do then also Certify unto the recorders Office at New York, the name of the testator or the party deceased the Executors or Administrators and their Se-

curity, the County and Parrish where they dwelt And the Court wherein the Administration is granted to the end that strangers and other Creditors invested in the Estate may be the better Enabled to find out the Records in which the accompts of the estate is entered and be informed how they may come to their just dues.

Memorandum That what is here spoken of Executors or Administrators the like is ment; and intended also of Executrixes & Administratrixes who in such Cases are to have the same priviledges.

Amercements.

All Amerciaments and Fines that are not expresly regulated because the meritt of the Case or offence cannot be foreseen shall be imposed at the discression of the Court.

That all fines and Amercements be collected by the petty Constables who are to give in an Accompt of them to the high Constable Eight days before the Sessions ensuing, and the high Constable shall give in their Accompts to the high Sherriffe eight days before the next Assizes.

Appearance.

It shall be lawful for the plaintiffe or Defendant to take out Subpenœ from the Sherriffe or under Sheriff to Summon Witnesses to give in their evidence, in Case they will not voluntaryly appear and the witneses so summoned shall for non Appearance at the Sessions be fined twenty shillings; and for non Appearance at the Assizes forty Shillings Or such other fine or punishment as shall be Adjudged by the Court for damage done to the Cause by his non Appearance Provided that noe man shall be punished for non Appearing at or before any Court or Counsel, nor for the Omission of any Office or Service, if he shall be necessari-

ly hindred, by any Apparent Act or Providence of God; which he could neither foresee nor avoid Provided also that this Law shall not prejudice any person of his Just cost and Damage in Civill Actions.

Appeal.

That no Justice of the peace that hath sate as Judge or voted in any Jnferior Court in that case he is appealed from, shall have any vote in the Superior Court appealed to; but the Case shall be there determined by such as are no way engaged in the same, by Judging or voteing formerly, And in all Cases of Appeales the Court appealed to, shall Judge the Case according to former evidence and no other, unless some material witness was not then in the Country or necessarily hindred from giveing in evidence at the triall, only rectifying what is amiss therein, and where matter of fact is found to agree with the former Court and the Judgement according to Law; not to revoke the Sentence or Judgement; but to abate or increase Damages as shall be Judged Right.

That in all Case of appeals the appealant do put in good Security for prosecuting the Appeal and payment of Damages to the Defendant if the Appealant be Cast in the Suite for his unjust Molestation.

If the Case of Appeal be of a Criminal nature, the party shall put in Security for the good behaviour also until the hearing, but if the Case be Capitall, and the person condemned shall appeale; he shall be kept in Goale till the next Assizes and then prosecuted and tryed Accordingly.

All Appeals with the Security aforesaid shall be Recorded at the charge of the party Appealing, and Certified to the Court to which they are made, and the party appealing shall briefly in writing under his owne or his Attorneys hand, give unto the Clark of the Court from which he did appeal, the Grounds and reasons of his Appeal Six days before the beginning

of the Court to which he did appeal the said Clark shall returne to that Court the said writing, and give Coppyes thereof to the defendant and whosoever shall Appeal from the sentence of any Court and not prosecute the same to effect according to Law shall besides his bond to the party forfeit to the Country the sum of Forty shillings for every such neglect.

All appeals are to be made by way of Petition and the Appealant shall pay ten Shillings upon the delivery of the petition unto the Clark of the Assizes for defraying the Charges thereof, over & above two Shillings Six pence to the Clark for entring the Appeal.

Apprisement of Goods.

That the Plaintiffe and Defendant shall choose each of them two indifferent men for that purpose and in Case of disagreement, the said four, or any three of them, shall choose an Umpire which Umpire so chosen shall be sworn by the next Justice of peace, to Apprize such Goods indifferently and his Umpirage to be finall. And if the Plaintiffe or Defendant neglect to Appoint Apprizers within three days after Execution is served, notice being given them by the Sheriffe to whom the Execution was directed, that then the Sheriffe in such Case of neglect shall choose and Appoint Apprizers either for the Plaintiffe or Defendant for Apprizing the Goods by him Seized upon Execution as aforesaid That before Such Apprisement the Sheriff shall remove the goods out of the possession of the plaintiffe, and the surplusage, if any be, returned to him, but after Apprisement made as aforesaid, the property to rest in the Sherriffe for the use of the Creditor to whom the Sheriff shall give notice that he may take them into his own possession, and because there can be no Averment against a Record, the Sheriff shall make returne of the Execution to the Clark of the Sessions that granted it, by him to

be entered upon Record, under the Order it was Issued upon, that so the Satisfaction as well as the Judgement may be Authentickly proved, if Occation Require.

Arrest.

That no Sheriff nor other officer shall Execute any writt or warrent upon any person or persons either upon the Sabbath day, upon the day of humiliation for the Death of the late King of Blesed memory upon the day appointed for Thanksgiving for his Majesties happy restoration or upon the 5th day of November provided always that it shall, and may be Lawful for the Sheriff, or any other Officer to apprehend and Carry to prison, any person or persons for Riotts felony or Escape out of prison when under Execution, upon any day, at any place, any thing in the Law to the Contrary notwithstanding.

All that comes to the Sessions or Assizes for publique service or upon Compultion upon Complaint and Examination of the matter by oath, shall be freed from any Arrest dureing their occations so long as the Court sits.

All arrests, writs, warrants and proclamations are to be in his Majesties Name.

No Person shall be Arrested for any Debt or fine untill the time when the Debt or fine shall become due is expired; unless it Doth appear upon Oath, that the Debtor, doth intend to convey himself away upon purpose to avoid the Action, and defraud his Creditors; In which case also, he shall not be arrested but either by Special warrant or warrant from one Justice of the peace or high Sherrife.

In case any suite or action depends between two persons of one Town, the one shall not cause the other to be arrested in any other Jurisdiction upon any pretence but by special warrant.

Whosoever shall upon pretence of Debt or trespass Arrest any Person with intent to disinable him from giving in Testimony in any Case depending, or from prosecuting any Suite in which he stands engaged shall be punished by Fine and Imprisonment at the discression of the Court, and the person so Arrested shall be set at liberty. Neither shall the Cause, for want of such evidence, whilst under Arrest, be Adjudged to the prejudice of either Plaintiffe or Defendant.

Any person under arrest except in cases not bailable may be set at Liberty to procecute, Answer, or give in evidence at the Sessions or Assizes, Security being given for his return to prison, and in case no bail or Security can be found, the Court may send for the party by Special warrant.

No mans person shall be longer imprisoned for Debt or fine than he can find Securityes for his Answering the Suite, or paying the Debt. And if it shall Appear to the Court, that the person impleaded hath a Competent man to give Satisfaction out of his Estate reall or personal for the said Debt, Then the Court shall Discharge the person and Secure the Plaintiffes debt out of the Defendants Estate.

All Persons of known Estates who to beget strife refuse the payment of their Just Debts if arrested and Imprisoned, shall be kept at their own charge, and not the Plaintiffes, till Surety be given or Satisfaction made Provided that no mans person shall be kept in prison for debt or fine, Longer then the Second Day of the next Sessions after the Arrest unlese the Plaintiffe shall make it appear that the person Arrested hath some Estate which he will not produce, In which Case the Court may Authorize an Oath to be Administered to the party or any other Suspected to be privie in Consealing his Estate, And the Court shall also order if no Estate can be found, that the Debtor shall Satisfie his Debt by service, if the Creditor so

require, as also the charge of his arrest and imprisonment.

Assesments.

All assesments shall be made by the Constable and the Eight Overseers of the Parrish proportionable to the Estate of the Inhabitants in the Town or parrish where such Assesments is to be made, and every Inhabitant who shall not Contribute proportionably to the Rate so Assesed, shall be compelled thereunto by Atachment or distress of Goods to be Leveyed by the Constable provided that no man shall be assesed for any Estate Reall or personall which lyeth not within the same Town or Parrish where he is Assessed.

That the Justices of peace only shall be exempted from paying any publique Assesment in the place where they Inhabit dureing the time of their bearing Office payments to the Church only excepted.

The Towns assesment shall be certified in writing unto the Sessions, and the Justices are impowered to relieve any Inhabitant by abatement who shall make it appear that he is over Charged.

In case of the necessary or Casual absence of one two or more of the Overseers when the Assesments or other Dutyes are to be performed, relating to the Constable and the Eight Overseers aforementioned it shall be Lawful for the Constable and four Overseers to act and determine as if the whole Number were present, And if any one Overseer shall happen to dye during the time of his Office it shall be Lawful for the Rest of the Overseers by the Major voate to Choose an other in his place and the person so chosen, upon Refusal of the said Office shall forfeit to the Town ten pounds toward the defraying of the Towns Charges.

Assaults.

Assaults are made either by Blowes offering of hurtful blowes, or at least by threatining & menacing speeches To rebuke an Officer with foule words, so that he departs with fear without doing his Office shall be taken for an Assault.

A servant or Labourer convicted by Confession or two witnesses for Assaulting his Master Dame or Overseer shall be Imprissoned till the next Sessions, where he shall be brought to answer for the fault and shall receive what Corporall punishment the Court shall Ajudge Saving life and Member.

In defence of himself his wife Father or Mother Children or Servants a man may Lawfully use force to resist any attempt made to that purpose.

Attachment and Summons.

That it shall be in the Liberty of every Plaintiffe to take out either summons or attachment against any Defendant provided no Attachment shall be granted in any Civill Action to any Forrainer or Stranger against a settled Inhabitant in this Jurisdiction before he hath given Sufficient Security or Caution to prosecute his Action, and to answer the Defendant such cost as the Court shall award him.

That in all attachments of Goods and Chattles or of Lands and heriditaments Leagal notice shall be given to the party, or Left in writing at his house or place of usuall aboad, otherwise the Suite shall not procede notwithstanding if he be out of this Jurisdiction, the Cause shall then proceed to Trial; but Judgment shall not be entred before the next Court, and if the Defendant doe not then appear, Judgment shall be entered; but Execution shall not be granted before the Plaintiffe have given Security to be Respon sible to the Defendant if he shall Reverce the Judg-

ment within one year or such further time as the Court shall Limitt.

That no summons pleading Judgment or any kind of proceedings in Court, or Courts of Justice shall be abated Arrested or Reverst upon any kind of Circumstancial Errors or mistakes if the person and cause be rightly understood & Intended by the Court, And in all Causes when the first Summons are not served eight Days Inclusively before the Court, and the Case briefly Specified in the warrant where Appearance is to be made by the party Summoned, it shall be at his liberty whether he will appear or not, except all Cases that are to be handled in Court suddenly called on extraordinary Occation, by Special Warrant.

That all Original processe whether Summons or Attachment shall expres in whose name the party Sueth, whether in his own name or as an Executor of the last will & testament of such a man, or Administrator of the goods & Chattle of such a man, or the Assigne, Attorney, Guardian, or agent of such a man, or the like, or otherwise if Exemption be taken before the parties joyne Issue it shall be good and the plaintiffe shall be lyable to pay Cost.

Attorney.

That no justice of Peace shall at any time whilst he is in Commission be an Attorney in any Case.

That no high Sheriffe, under Sheriffe high Constable petty Constable or Clarke of the Court shall be permited to plead as an Attorney in any Persons behalfe in the Court where he Officiates, provided always that if any poore person not able to plead his own Case shall request the Court to Assign him the High Sheriffe under Sheriff high Constable petty Constable or Clark to plead for him it shall be Lawfull for the Court to grant it; And for the person to plead accordingly, But the person so pleading the poor mans Case, is not to give Judgment provided

also that any high Sheriffe under Sheriffe high Constable petty Constable or Clark Acting as general Attorneys for any person, absent out of the Country, and Negotiating their Affaires, and so Lyable to be sued for their Employers such Persons shall have Liberty also to plead and prosecute in any Cause that shall any way Conscerne their said Employers.

Assizes.

The Court of Assizes shall be held but once in the year which shall begin on the last thirsday in September at New York.

Vpon information from any Court of Sessions to the Governour and Councell of any Capitall Offender, unless the Court of Assizes shall happen, to be within two Months time after such Information; The Governor and Councell shall Issue forth a Commission of Oyer and Terminer for the more Speedy Trial of such Offender.

Bayle.

Baylement is the saving or delivering a man from prison before he hath Satisfied the Law, by finding Surety to Answer which is justifiable by Law.

The person Bayled is to be delivered into his Suretyes hands.

If the sureties shall afterwards doubt the Escape of the prisoner Bayled; a Justice of Peace upon prayer may discharge the Sureties and Commit the party to prison untill he find other Security such as the Justice shall except.

To Bayle one not Baylable, is a negligent Escape in the Justice.

To Bayle one Contrary to Law is fineable, which is to be interpreted for Bayling persons committed either by Special warrant, or for Capitall Offences.

Barratry.

If any man shall be indicted proved and Judged a Common Barrator; vexing others with unjust frequent and endless Suites it shall be in the power of the Court both to reject his Cause; and punish him for his Barratry by fine or Imprisonment.

Ballast.

That no Ballast shall be taken from any Town Shore by any Person whatsoever without Allowance under the hands of the Constable and two Overseers upon the penalty of Sixpence for every Shovell full so taken, unless they be such Stones as they had lay there before, and that no Ship, nor other vessell shall Cast out any Ballast in the Channel or other place unconvenient; in any harbour within this Goverment, upon the penalty of ten pounds.

Bills.

That any Debt or Debts due upon bill or other Speciallity Assigned to another, shall be as good a debt and Estate to the Assignee, as it was to the Assigner at the time of its Assignation, and it shall be Lawful for the said Assignee, to sue for, and recover the said Debt due upon Bill and so Assigned as fully as the Original Creditor might have done, Provided the said Assignment be made upon the Back side of the Bill or Speciallity.

Bond slavery.

No Christian shall be kept in Bondslavery villenage or Captivity, Except Such who shall be Judged thereunto by Authority, or such as willingly have sould, or shall sell themselves, In which Case a Record of such Servitude shall be entered in the Court of Sessions held for that Jurisdiction where Such Matters shall Inhabit, provided that nothing in

the Law Contained shall be to the prejudice of Master or Dame who have or shall by any Indenture or Covenant take Apprentices for Terme of Years, or or other Servants for Term of years or Life.

Bounds.

That every Town shall sett out their Bounds within twelve Months after their Bounds are granted and that when their Bounds are once set out; once in three years, three of the Overseers of the town Appointed by the next Justice, shall appoint with the Adjacent Towns, the Auncientest Town to give notice to the neighbours Towns to go the Bounds betwixt their said Towns and renew their Marks, The time of preambulation to be between the 20th and last of February and at the charge of each particular Town upon the penalty of five pounds for every Town that shall neglect the same.

If any particular Town lott or Lands lying in Common with others shall refuse to go the Bounds between his Lands and other mens once a year, being requested thereunto upon one weeks warning he shall forfeit ten shillings for every day so neglected, one half to the party moving thereto, And the other half to the Town.

And whereas many Contentious Suites do arise about the bounds Limits and titles to lands appertaining to Towns or particular persons occationed much through the unskilfulness or fraud of pretended Surveyors, for prevention whereof for the future, No Surveyor of Lands shall give a plott of any lands Surveyed by him unto any other person or persons whatsoever, then such as Employed them, untill six Months after such Plott is Drawn according to its Survey, And that one Plott so drawn describing the bounds and Limits of the Town shall be kept in the Records of each particular Town, and another plott so drawn and delivered to the Clark of that Court of

Sessions to which that Town Relates, within Seven Months after the Survey shall be so made.

Brewers.

That no person whatsoever shall henceforth undertake the Calling or work of Brewing Beere for Sale, but only such as are known to have Sufficient Skill and knowledge in the art or Mistery of a Brewer, That if any undertake for victualling of Ships or other Vessels or Master or owner of any such Vessels or any other person shall make it appear that any Beer bought of any person within this Goverment do prove unfit unwholsome & useless for their supply, either through the insufficiency of the Mault or Brewing or unwholsome Cask the Person wronged thereby, shall be and is hereby enabled to recover equal and Sufficient damage by Action against that Person that put the Beer to Sale.

Births Marriages & Burials to be Registered.

The Names and Surnames of every Inhabitant within the Several Parrishes within this Goverment shall be Regestered, and to prevent future inconveniences which may arise about the age of Orphants, The Certaine Marriage of Men and Women or the decease of persons imported into this Country whereof no possitive Certificate can be granted, as to the age of one, Marriage of another or the Death of another, The Minister or Town Clark of every parrish shall well and truly and plainly Record all Births Marriages and Burials that shall happen within his Respective parrish, in a Book to be provided by the Churchwardener for that purpose, And if any Master of a family or other person Conscerned shall omitt the giving notice to the said Minister or Town Clark, of the Birth Marriage and Death of any to him or them Related the space of one Month Such person for his neglect shall be fined five Shillings.

And the Minister or Town Clark shall have for his entry of such Birth Marriage or Death four pence, And if the Minister or Town Clark shall neglect entering the same as aforesaid he shall be fined upon Discovery made thereof to the use of the parrish.

Burials.

Whereas the private Burial of Servants & others give occasion of much Scandal against divers persons and So divers times not undeservedly of being guilty of their Death from which if the person Suspected be innocent, there can be no vindication, nor if guilty no punishment by reason they are for the most part Buried without the knowledge or view of any other then such of the family as by nearness of Relation, as being Husband Wife or Child are unwilling or Servants, are fearfull to discover it, if Murder were Commited, for remidy whereof, and for the greater decency of Burials There shall be within every parrish of this Goverment, one or more places appointed according to the extent of the parrish, to be set apart and fenced in for publique places of Burial, and before the Corps be Buryed there shall be three or four of the neighbours Called, of which one shall be one of the Overseers of the parish, who may in Case of Suspicion view the Corps and if none, yet according to the decent custom of Christendom they may accompany it to the grave, And that no person whether free or Servant, shall be Buried in any other place then those so appointed, unless such who by their own appointment in their life time have signified their desire of being intered in the Burial place of some other parish.

Capital Lawes.

1. If any person within this Goverment shall by direct exprest, impious or presumptuous ways, deny

the true God and his Attributes, he shall be put to death.

2. If any person shall Commit any wilful and premeditated Murder, he shall be put to Death.

3. If any person Slayeth another with Sword or Dagger who hath no weapon to defend himself; he shall be put to Death.

4. If any man shall slay, or Cause another to be Slain by lying in wait privily for him or by poisoning or any such wicked Conspiracy; he shall be put to Death.

5. If any man or woman shall lye with any Beast or Bruite Creature by Carnal Copulation they shall be put to Death, and the Beast shall be Burned.

6. If any man lyeth with mankind as he lyeth with a woman, they shall be put to Death, unless the one party were Forced or be under fourteen Years of age, in which Case he shall be punished at the Discretion of the Court of Assizes.

7. If any person forcibly Stealeth or carrieth away any mankind; He shall be put to death.

8. If any person shall bear false witness malliciously and on purpose to take away a mans life, He shall be put to Death.

9. If any man shall Traitorously deny his Majestyes right and titles to his Crownes and Dominions, or shall raise Armes to resist his Authority, He shall be put to Death.

10. If any man shall treacherously conspire or Publiquely, attempt to invade or Surprise any Town or Towns, Fort or Forts, within this Goverment, He shall be put to Death.

11. If any Child or Children, above sixteen years of age, and of Sufficient understanding, shall smite their Natural Father or Mother, unless thereunto provoked and forct for their selfe preservation fron Death or Mayming, at the Complaint of the said Father and Mother, and not otherwise, they being Sufficient

witnesses thereof, that Child or those Children so offending shall be put to Death.

Cattle Corn Fields Fences.

Every Person interested in the improvement of Common fields inclosed for Corn or other Necessary use shall from time to time, make and keep his part of the fence Sufficiently strong and in constant repair, to secure the Corn and other fruits therein, and shall not put, cause or permit any Cattle to be put in so long as any Corn or other fruits shall be growing or remain upon any part of the Land so Enclosed, unless by some general exprest agreement of such as are interested, and if at any time the owners or occupiers of any such inclosed Lands, Cannot or do not agree in any part of the premisses Then upon due and Seasonable notice given to the Constable and Overseers of the Town they shall appoint a Convenient time to hear and order such differences, and Settle a due way of fencing improving and preserving such fields and the fruits of them, And whosoever shall Oppose or transgress shall be lyable to all damage proved to grow thereby and to such further fine for breach of order as the Overseers shall Judge meet.

And the said Constable and Overseers shall from year to year appoint one or two or more of the planters for all or each Common field belonging to the Town where they dwell; to view the Common fences within their trust and to take due notice of the real defects and insufficiency thereof, and shall forthwith acquaint the owners with the same, and if the said Owners or occupiers do not at furthest within Six Days, or sooner if the said Constable and Overseers see Cause, and so appoint Sufficiently Repaire, or Cause the same to be Sufficiently Repaired, he or they shall forthwith upon the demand of the appointed viewer or viewers (besides other Just dama-

ges) pay as a fine to the Town Twelve pence for every Rod, if there be a considerable quantity of such defective fence together, or for every Single defect in such faulty fence, or the said viewer or viewers taking due witness of the defects, may if it Suite their Conveniency forthwith repair or renew them or Cause them to be repaired or renewed, and shall have double recompence for the same, to be paid, besides, other Damages, by the Owners or Occupiers of the said insufficient fence or fences.

And in iether Case if payment be denied or delayed the said Constable & Overseers shall Levy the same forthwith upon the Estate of the delinquent to the use of the viewer or viewers.

And where Lands lye in Common unfenced, if one man shall improve his Land by fencing in several and others, one or more shall not, he who shall so improve, shall Secure his Land from other mens Cattle, unruly Cattle excepted, who shall Compell no man to make any fence with him except he also Improve in Several.

And where one man shall improve before his neighbour & so make the whole fence. If his said neighbour shall after improve; he shall then Satisfie for half the other fence against him; according to the present vallew and shall maintain the same, and if the first man shall after lay open his field or land, then the said Neighbour shall both enjoy his said half fence so purchased, and shall have Liberty to buy the other half fence against his Lands paying according to the present worth as it shall be rated by two men Indifferently Chosen, and the like order shall be when any man shall improve Land against or Adjoyning to a Town Common provided this extend not to house Lotts in which if one man improve his Neighbour or Neighbours shall be Compellable to make and maintain one half of the fence between them whether he or they improve or not,

provided also that no man shall be Lyable to damage done in any ground not sufficiently fenced and himself not interested in the defective fence, or some part of it, Except the damage were done by Prohibited or unruly cattle of any sort, in which Swine are Included which cannot be restraned by ordinary fence or where any shall unwarrantably put in Cattle of what Sort, or under what Couler or pretence whatsoever, or otherwise wilfully tresspass upon his Neighbours ground.

All Cattle and hoggs shall be markt with the publique mark of the Town to which they belong and the private mark of the owner, and when they are Sould to any other Town, the Purchaser shall cause the Towns mark of the place where he Inhabiteth, besides his own particular mark to be sett on, or over the mark of the Town from which he bought them.

All horned Beasts shall be marked upon the Horne with the Town mark to which they belong.

That whatsoever Swine or greater Cattle, horses excepted shall be found in the woods or Commons unmarked are Lyable to poundage or being either pounded or otherwise prossecuted & proved, The owners shall pay for each Swine unmarkt three Shillings four pence of which half the fine to the pounder or prosecutor and the rest to the Constable & Overseers, and for each of the greater sort of Cattle Six Shillings, whereof half shall be ordered to the pounder or prosecutor & the rest to the Constable & Overseers, but if the owners be not known or found, then every such swine or Beast of a greater kind to be duely cryed, that the owner may take notice Claime his interest and pay the fine and Charges.

But if no owner be found, then after due Apprizement by Indifferent men Chosen by the Constable and Overseers of the place and the same recorded in the Court of Sessions, Sale to be so fairly

made, that the fine and Charges may be fully paid & the remainder kept by the Constable, till the owner be known and the rest of such swine or Cattle, being first markt with a publique Town mark or Brand with some Distinction from the mark of particular men to be again turned into the woods.

That no owner of Cattle of what kind soever after knowledge or notice given, that any Cattle of his whether Horse or other Beast or Swine, is unruly in respect to fences shall Suffer any such to go at Liberty, either in Common or against Corn fields or other impropriated enclosed ground fenced as aforesaid, but shall either Constantly keep them upon his own ground, within Sufficient fences all his own or put and keep upon each of them such shakles and fetters or yoakes and Rings as may Sufficiently from time to time Restrain them and prevent trespass or shall pay all Damage and Charges, whether in Corn or other fruit with hurt in fences, expences of time, help in Catching, pounding, driving out and bringing home any such unruly Cattle, of what kind soever, with such further fine for breach of order, and Court Charges if the plaintiffe be put to recover it that way, as the Court of Sessions shall Judge meet.

For impounding of Cattle for trespass upon Corn or Meadow grounds, for each Horse, or Mare, Bull, or Cow, above two years to be paid to the Constable one peny per head.

For all Cattle under two years old and for Sheep or Hoggs, one half penny per head; Provided always that the said Cattle sheep or hoggs be taken in the Trespass, then to pay as before said, and not otherwise, Moreover the owner of the said Cattle Sheep or Hoggs shall pay just Cost for the Nourishment of them so Impounded till they find Bail to Answer or shall Compound for the trespass before it comes to Court.

Although it be in the Constables power to impound yett he shall not grant a Replevin without two Overseers who are to take Security to answer the trespass, and if the Cattle impounded be worth five pounds or above, the owners shall pay five Shillings, if under shall pay one Shilling for the Replevin, But if the party damaged shall agree with the trespasser then to pay only for impounding as aforesaid.

Causes.

Every Cause of five pounds or under, shall pay two shillings Sixpence, if the Cause be of ten pounds it shall pay five Shillings if above ten pounds to twenty pounds there shall be paid ten Shillings, and for every ten pounds more two Shillings Six pence.

That all causes shall be heard and tryed according to their priority of entrance, and if it shall happen that the Justices have Leasure and can dispach the Causes of which due entry was made before the time of Sessions is expired, It shall be lawful for the Justices to hear and determine any other Cause or Causes Action or Complaints in as full and Ample manner as if due Entry had been made, both the parties being agreed to come to an issue, any thing to the Contrary in any other Law Notwithstanding.

Church.

Whereas the publique Worship of God is much discredited for want of painful & able Ministers to Instruct the people in the true Religion and for want of Convenient places Capable to receive any Number or Assembly of people in a decent manner for Celebrating Gods holy Ordinances These ensueing Lawes are to be observed in every parish (Viz.)

1. That in each Parish within this Goverment a church be built in the most Convenient part thereof, Capable to receive and accommodate two Hundred Persons.

2. That For the making and proportioning the Levies and Assesments for building and repairing the Churches, Provision for the poor, maintenance for the Minister; as well as for the more orderly managing of all Parochiall affiairs in other Cases exprest, Eight of the most able Men of each Parish be by the Major part of the Housholders of the said Parish Chosen to be Overseers out of which Number the Constable and the aforesaid Eight Overseers shall yearly make choice of two of the said number, to be Church wardens and in case of the Death of any of the said Overseers and Church wardens; or his or their departure out of the parish The said Constable and Overseers shall make Choice of another to Supply his Room.

3. Every Overseer is to take the Oath of Allegiance at the time of his Admittance into his Office in the Presence of the Minister Overseer and Constable of the parish, besides the Oath of his office.

4. To prevent Scandalous and Ignorant pretenders to the Ministry from intruding themselves as Teachers; No Minister shall be Admitted to Officiate, within the Goverment but such as shall produce Testimonials to the Governour, that he hath Received Ordination either from some Protestant Bishop, or Minister within some part of his Majesties Dominions or the Dominions of any foreign Prince of the Reformed Religion, upon which Testimony the Governour shall induce the said Minister into the parish that shall make presentation of him, as duely Elected by the Major part of the Inhabitants housholders.

5. That the Minister of every Parish shall Preach constantly every Sunday, and shall also pray for the

Kinge, Queene, Duke of Yorke, and the Royall family. And every person affronting or disturbing any Congregation on the Lords Day and on such publique days of fast and Thanksgiving as are Appointed to be observed. After the presentments thereof by the Churchwardens to the Sessions and due Conviction thereof he shall be punished by fine or Imprisonment according to the merrit and Nature of the offence, And every Minister shall also Publiquely Administer the Sacrament of the Lord's Supper once every Year at the least in his Parish Church not denying the private benifit thereof to Persons that for want of health shall require the same in their houses, under the penalty of Loss of preferment unless the Minister be restrained in point of Conscience.

6. No Minister shall refuse the Sacrament of Baptism to the Children of Christian parents when they shall be tendered under penalty of loss of preferment.

7. Ministers are to Marry Persons after Legal publication or Sufficient Lycence.

8. Legal publication shall be so esteemed when the persons to be Married are three Several Days asked in the Church, or have a Special Licence.

9. Sundays are not to be prophaned by Travellers Labourers or vicious Persons.

10. That no Congregations shall be disturbed in their private meetings in the time of prayer preaching or other divine Service Nor shall any person be molested fined or Imprisoned for differing in Judgment in matters of Religion who profess Christianity.

11. No Person of Scandalous or vicious Life, shall be Admitted to the holy Sacrament, who hath not given Satisfaction therein to the Minister.

Church Wardens.

That Church wardens shall twice every year (viz) on the Second day of the Sessions, to be held in June; and on the Second day of the Sessions, to be held in December, In open Sessions deliver a true presentment in writing of all such misdemeanors as by their knowledge have been Committed and not punished whilst they have been Churchwardens. Namely, Swearing, prophaness, Sabbath breaking Drunkenness, fornication, Adultery, and all such abominable Sinnes; The said Churchwardens are also hereby impowered to cause any person upon whose report they ground their presentment to appear at the respective Sessions to which the presentments are made to give in their evidences concerning the same, and the refusers shall be Lyable to be fined at the Sessions.

Charges Publicke.

The Charges of all Officers Civill and Military to whom no other fees are expressly granted and appropriated shall be Annually paid out of the Common Treasury in reall and good payment, or Assignation to his or their Satisfaction.

Every Inhabitant shall Contribute to all Charges both in Church and State, whereof he doth, or may receive benefit according to the equall proportion of his Estate.

Children and Servants.

The Constable and Overseers are strictly required frequently to Admonish the Inhabitants of Instructing their Children and Servants in matters of Religion, and the Lawes of the Country, And that the Parents and Masters do bring up their Children and Apprentices in some honest Lawfull Calling Labour or Employment. And if any Children or Servants become rude Stuborne or unruly refusing to hearken

to the voice of their Parents or Masters the Constable and Overseers, (where no Justice of Peace shall happen to dwell within ten miles of the said Town or Parish) have power upon the Complaint of their Parents or Masters call before them Such an Offender, and to Inflict such Corporall punishment as the merrit of their fact in their Judgment shall deserve, not excepting ten Stripes, provided that such Children and Servants be of Sixteen years of age.

Chirurgions, Midwives, Physicians.

That no Person or Persons whatsoever, Employed about the Bed of Men women or Children at any time for preservation of Life or health as Chirurgions, Midwives, Physicians or others; presume to Exercise or put forth any Acte Contrary to the known approved Rules of Art in each mistery or Occupation, or Exercise any force violence or Cruelty upon, or to the Bodies of any whether Young or old; without the advice and Counsell of the such as are Skillfull in the same Art (if such may be had,) or at least of some of the wisest and gravest then present and Consent of the patient or patients if they be Mentis Compotes: much less Contrary to such Advice and Consent upon such severe punishment as the nature Of the fault may deserve, which Law nevertheless is not intended to discourage any from all Lawful use of their skill but rather to encourage and direct them in the right use thereof, and to inhibit and restrain the presumptious arogancy of such as through Confidence of their own skill, or any sinister Respect, dare bouldly attempt to Exercise any violence upon or toward the body of young or old one or other, to the prejudice or hazard of the Life or Limb of man, woman, or Child.

Courts.

That the names of the Severall Courts to be held in each Riding three times in the year, shall be called the Court of Sessions.

And whereas there is great Respect due, and by all persons ought to be given to Courts which so nearly represents his Majesties sacred Person, and that such order, gravity and decorum, which doth manifest the Authority of a Court, may be maintained. These rules and formes following are to be observed for begining Continuing and proceeding in the said Court.

The Courts of Sessions are to begin in the East Riding the first Tuesday in June: In the North the Second Tuesday and the third Tuesday following in the West Riding, They are to Continue the Sessions in each place three days, if need So require, but no longer, the second Court of Sessions shall be held the first Second and Third Wednesdays in December, The third Sessions are to be the first, Second and third wednesdays in March.

The Stile of the Court to be entered thus.

At a Court of Sessions held at —— the —— day of —— by his Majesties Authority in the Seaventeenth year of the Raigne of our Soveraigne Lord Charles the Second by the grace of God of Great Brittaine France and Ireland King; Defender of the Faith &c: And in the year of our Lord God 1664 present.

Insert the name of the Governoure. Silence Commanded Then let the Cryer or under Sheriffe make proclamation and Say O yes O yes O yes.

Silence is Commanded in the Court whilest his Majesties Governor Counsel and Justices are Sitting upon pain of Imprisonment.

After Silence is Commanded Lett the Cryer make Proclamation Saying; All manner of Persons that

have any thing to do at this Court, draw near and give Attendance; and if any one have any Plaint to Enter, or Suit to procecute, Lett them come forth and they shall be heard.

When Silence is thus commanded, and Proclamation made upon Calling the Dockett, the Cryer shall Call for the Plaintiffe.

Calling for the Plaintiffe.

A. B, come forth and prosecute thy Action gainst C. D. or else thou wilt be non Suited. And the Plaintiffe putting in his Declaration, the Cryer shall Call for the Defendant.

Calling for the Defendant.

C. D.; come forth and save thee and thy Bayle, or else thou wilt forfeit thy Recognizance.

For proceeding in the said Court

Warrants to be Issued by the Clerk.

Whosoever shall speak in Derogation of the Sentence or Judgment of any Court, shall be fined at the Discretion of the next Court of Sessions or Assizes.

Constable.

That the Constable shall whip or Punish any one to be punished by Order of Authority, where there is not any other Officer appointed to do it, in their own Towns, unless they can get an other person to do it.

That any and every Person tendred to any Constable of this Goverment, by any other Constable or other Officer belonging to any Jurisdiction within this Goverment, or by warrant from any Justice shall be presently received and Conveyed forthwith from Constable to Constable till they be brought to the place to which they were sent, or

before some Justice of the peace who shall dispose of them as the Justice of the Cause shall require; All Hue & Cryes shall be duly received and diligently pursued to full effect And where no Justice of the Peace is near, Every Constable shall have full power, to make Sign and put forth pursuites or Hue and Cryes after Murtherers Man Slayers Theves Robbers Burglurers and other Capitall Offenders, as also to Apprehend without warrant such as are overtaken with Drink, Swearing, Sabbath breaking, Vagrant persons or night walkers provided they be taken in the manner, either by the Sight of the Constable or by present information from others, As also to make search for all such Persons either on the Sabbath Day or other when there shall be Occasion in all Houses Licensed to sell either Beer or Wine or any other Suspected or disordered places and those to Apprehend and keep in Safe Custody till oppertunity Serves to bring them before the Next Justice of the peace further Examination, Provided that when any Constable is Employed by any Justice for apprehending of any person he shall not do it without a warrant in writing. And if any person shall refuse to Assist any Constable in the Execution of his Office in any of the things aforementioned being by him required thereto, They shall pay for neglect thereof ten Shillings to the use of the Town of which he is Constable To be Levyed by warrant from any Justice before whom such Offender shall be brought And if it appears by good Testimony that any shall wilfully or Contemptuously refuse or neglect to assist any Constable as is before expressed, he shall pay to the use aforesaid forty Shillings And that no man may plead Ignorance for such Neglect or Refusal, Every Constable shall have a Staff of about six foot long, with the Kings armes on it as a badge of his Office which Staff shall be provided at the charge of the Town. And if any Justice of peace Constable

or any other, upon urgent Occasion shall refuse to do their best endeavours in raising and prosecuting Hue and Cryes by foot and if need by Horse after such as have Commited Capital Crimes: They shall forfeit for every such offence to the use aforesaid forty Shillings The Constable and every two Overseers may take Bayle for any Person Arrested within their precincts if not in Execution or Commited by Special warrant.

That Every Constable within his Jurisdiction, shall on the penalty of five pounds Clear up his Accompts with the High Constable for all fines Amerciaments or what other publique money of the goods he shall receive, one whole month before the expiration of the year of his Office, And they and every of them are impowered to press Boats or Carts: for the more Speedy Sending in of what they have so Collected according to the time appointed, and if any Constable shall not have Collected the said fines and Amerciaments Commited to his Charge by the High Constable; during the time of his Office that he shall notwithstanding the Expiration of his Office have power to Levy by distress all such fines Amerciaments and Levyes, and if he bring them not into the high Constable according to his warrant The high Constable shall distrayne such Constables Goods for the Same.

Constables shall be chosen in all Towns upon the first day of April, or Second, yearly, by the plurality of the votes of the freeholders in each Town; that is to say one of the four Overseers, into whose places new ones are chosen for the ensuing year, shall be chosen to Officiate as Constable within their Town, Whose name and person shall be presented by the Old Constable and Overseers to the next Sessions ensuing there to be Confirmed by the Justices of the peace by taking the oath appointed for Constables.

Conveyances, Deeds & Writings.

That henceforth no Sale or alienation of Houses and Lands within this Goverment, shall be holden good in Law except the same be done by Deed in writing under hand and Seal and delivered and possession given upon part in the name of the whole by the Seller or his Attorney so Authorized under hand and seal, Unless the said Deed be Acknowledged and Recorded according to Law.

That all Deeds and Conveyances of Houses and Lands within this Goverment wherein an Estate of Inheritance is to pass, it shall be expressed in these words: or to the Like effect (viz) To have and to hold the said houses and Lands Respectively to the party or grantee, his heirs and Assigns forever, Or if it be an Estate Entailed, then to have and to hold &c: to the party or grantee and to the Heirs of his body Lawfully begotten between him and such an one his Wife; or to have and to hold to the Grantee for terme of Life, or for so many years, Provided that this Law shall not include former Deeds and Conveyances, but leave them in the same Condition as they were, or shall be in before this Law shall take effect; which shall be from the publication thereof Provided also That this Law shall not extend to Houses or Lands given by will or Testament or to any Land granted or to be granted by the Inhabitance of a Town.

That no Conveyance Deed or Promise, whatsoever shall be of Vallidity if it be obtained by illegal violence imprisonment threatnings or any kind of forcible Compultion called Dures.

All Covenants or fraudulent Alienations or Conveyances of Lands Tenements or any hereditaments shall be of no force or validity to defeat any man from his due Debts or Legacies or from any just Tithe Claime or possession of that which is so fraudulently Conveyed.

That after the time aforesaid no Morgage Bargain Sale or Grant made of any Houses, Lands Rents or other Herediments where the Granter remains in possession shall be of force against other Persons Except the Granter and his heirs unless the Same be acknowledge before some Justice of the peace or Superior Officer in the Goverment and Recorded as is hereafter expressed. And that no Such Bargain Sale or Grant already made in any way of Morgage where the Granter remains in possession shall be in force against others; but the granter or his Heirs except the same shall be entred as is here expressed (that is to say) within one Month after the date before mentioned if the party be within this Gouverment or else where within three Months after he shall returne, And if any such Granter shall refuse being required by the Grantee his Heirs or Assigns to make an acknowledgment of any grant, Sale, Bargain or Mortgage, by him made shall refuse so to do, It shall be in the power of any Justice of peace, to send for the party so refusing, and Commit him to prison without Bail or Mainprize, unless he shall Acknowledge the same, and the Grantee is to enter his Caution with the Clerk of the Court of Sessions and this shall save his Intrest in the mean time, And if it be doubtful whether it be the Deed or Grant of the party he shall be bound with Sureties, to the next Court of Sessions, and the Cautient shall remain good as aforesaid.

And for the Recording of all such Grants, Sales, and Mortgages That every Clerk of every Court of Sessions shall enter all such Grants, Bargains, Sales, and Mortgages of Houses Lands, Rents and Heriditaments as aforesaid together with the estates of the Granter and Grantee; things and Estates granted, together with the Date thereof.

Councell.

Any Person who shall be sworn of the Counsell to the Governour shall in any place within this Goverment have in all respects the Power of a Justice of Peace and in any Court of Sessions may sit as President.

Condemned.

That no man Condemned to die, shall be put to death within four Days next after his Condemnation unless the Governour see Special Cause to the Contrary; or in Cause of Martial Law. And the Person Executed shall be buried near the place of Execution.

Defamation.

That no Action shall be Admitted for defamation in any Court where the words are not Actionable & no words shall be Estemed, Actionable, but such as if true might have brought the person to Suffer punishment by Law, any other to be cast out of the Court, and the Plaintiffes to be nonsuited and because offences of this Nature may be Speedily Determined any Justice of peace is hereby Authorised and impowered to hear and Determine them and likewise to bind the Persons so Offending to the good behaviour or if they find not good Security for the Same to commit them to prison till they find it.

Dowryes.

If any Woman shall Causelesly absent herself from her Husband of which he shall make Complaint to the Court of Sessions If upon certain time given her by the Court, shee shall refuse to return, shee shall forfeit her Dowry unless the Husband shall afterwards upon a New agreement Confirm the same.

Fasting Days and Days of Thanks givin To be Observed.

Whereas by an Act of Parliament the fifth Day of November is annually to be observed for the Great deliverance from the Gunpowder Treason. And whereas by one other Act of Parliament The thirtyeth Day of January is annually to be observed with Fasting and Prayer in all his Majesties Dominions to shew a hearty and Serious Repentance and Detestation of that Barbarous Murther Commited upon the Person of our late King Charles the first, thereby to divert Gods heavy Judgment from falling upon the whole Nation, as also by an other Act of Parliament we are enjoyned thankfully to acknowledge the providence of God upon the Nine and Twentyeth Day of May for his Majesties Birth and Resturation to the Throne of his Royall Ancestors whereby Peace and unity is Established in all his Majesties Dominions, Every Minister within his Severall Parish is enjoyned to pray and Preach on these days and all other Persons are also enjoyned to abstain from their Ordinary Laboure and Calling According to the true intent of both the said Acts.

Fees of Justices of Peace.

	S.	D.
For Nominating three Arbitrators when a Case under forty Shillings is brought to him by the Constable - -	7	6
For warrants of appearance to answer all sorts of Actions at the Court or binding over to the Sessions or the Assizes for the good behaviour or the peace - -	2	6
Upon plaints of Debt or Damage -	1	6
Upon Common Actions, as Slander or the like - - -	1	0
Upon Subpœna for each Person -	0	6

Nothing is to be paid for warrants in Criminall and Capitall Causes.

No Fees for doing his Office, as a Justice upon ye Bench.

The Justices Charges are to be bourne, both at Sessions and Assizes out of the fines and Amerciaments.

Fees of Petty Constables.

	S.	D.
For Collecting of the Assessments Amercements and fines and paying them into the high Constable per pound - -	1	0
For Attachments, or Apprizements of Goods per pound - -	0	2
For Assisting upon Common Action, the plaintiffe to pay his - -	1	6

No Fees are to be paid for executing of Speciall warrants or apprehending Criminal or Capitall Offenders but are to be done ex offiso.

Fees for the High Constable and under Sherriffe.

	S.	D.
For receiving the Assessments Amercements & fines from the petty Constable and paying them into the Sherriffe per pound	0	6
For every Judgment in Court or Virdict.	1	0
For the Summoning and Empannelling a Jury - - -	0	4

Fees of the Sherriffe.

	S.	D.
The Sheriff shall have of the Plaintiffe upon all Arrests whether by Bill Writ or warrant	1	8
Vpon every Execution that shall be Served if under one Hundred pounds for each pound	1	0
For what shall be above one Hundred pounds for each pound - -	0	6

	S.	D.
For receiving the Assessments Amercements and fines from the high Constable & paying them into the Treasury per pound	0	6
For going into Prison - -	1	6
For whipping - - -	2	6
For pillory - - - -	2	6
For a warrant of attachment - -	1	0
For the Sheriffs warrant to Summon and Empannell a Jury for each Cause - -	1	6
And for other trouble not here exprest, other reasonable fees shall be allowed by the Court - - - -		

For Fees of the Clarke of the Court of Sessions Who is also Clarke of the writts.

	S.	D.
For entering every Action for Tryall -	2	6
For entering and recording a bargain and Sale of Lands or Houses Inventoryes or Conveyances if under 24 linnes - -	2	6
For entering a will or Administration for himself, if under 24 lynnes - -	1	6
If above for every 12 lynnes more -	0	6
For the fees of the Office of Record for which he is to be Accomptable their - -	2	6
For entering a Judgment of Court - -	3	0
For entering an execution - - -	1	6
For Entering an Order of the Court - -	1	0
For the Coppy - - - - -	1	0
For Entring an Attachment - - -	1	6
For Entering A Deposition - - -	1	0
For Entering A Petition - - -	0	6
For Entering A Certificate - - -	1	0
For the Entring and Recording of any other business (orphants excepted) for the first and Second pages - - -	2	6

	S.	D.
For every page more - - - -	0	6
For licences to Innkeepers and Victuallers	2	6

The Fees of the Clerk of Assizes.

That all charges of Officers or Attendants upon Causes at the Assizes shall be double to these of the Sessions and to be Levied in the same manner.

If any thing shall be done by the Clerk of the Assizes or the Clerk of the writs of either Court; more than is here expressed, the Justices are to Adjudge them a Farther fee, either at the Sessions or Assizes According to his merritt for greater pains taken

Fees for the Court.

	S.	D.
For returning Appeals to the Assizes with all the Circumstances whereof the Court of Sessions hath taken cognizance towards the defraying of Court Charges - -	6	8
For the Coppy of an Appeal and Causes -	2	6

Fees for the Cryer of the Court.

	S.	D.
For Calling the Jury for each Cause -	1	0
For swearing every witness - -	0	4
For A non Suit - - - -	1	0
For non appearance of witnesses upon Subpeane - - - - -	0	4
For every verdict - - - -	0	4

Fees for the Marchall.

	S.	D.
For receiving into ward - - -	1	0

It is to be the Mareschals care to provide a convenient Room or place for the Jury to retire into.

	S.	D.
For every verdict brought in while the Court sits, - - - - - -	0	6
If the Jury Stay together all Night before delivery of the Virdict - - -	2	6

The Marshall is to receive no Prisoner but such as are Commited by warrant, excepting only in such present Occasions, where a warrant cannot duly be obtained Provided that he shall not refuse any Prisoner brought to him by any known Officer, the said Officer obliging himself to deliver in a warrant to the Marshall for his so doing within twenty four hours.

The ordinary Rate and Allowance for the dyett of every Prisoner to the Marshall, shall be p diem eight pence and he shall demand no more; Provided always that any Prisoner for his better accommodation either for Lodging or Dyett; may agree with the Marshall upon a further Price.

Fornication.

If any Person commit Fornication with any Single woman they shall both be punished by enjoyning Marriage, fine or Corporal punishment, or any of those According to the discretion of the Court.

Forgery.

If any Person or Persons whatsoever shall forge any Deed or Conveyance, testament, Bond, Bill, Release, Acquittance, Letter of Attorney, or any writing to prevent Equity & Justice they shall Stand in the Pillory three Severall Courts Days and render double damages to the party wronged and also be disable to give any Evidence or verdict to any Court or Magistrate.

Fires or Burnings.

If any Person or Persons whatsoever shall set on fire any dwelling House Church or store houses or

to that purpose shall set on fire any Out House, Barne, Stable Stack of Hay, Corne or wood, or such like Combustible matter, Maliciously and willingly, He shall be Commited to Prison, there to remain without Bayle till the next Sessions, where if convinced by proofe or Confession of the Crime he shall be Commited to prison there to remain without Bayle till the Next Sessions where if convicted by Proofe or Confession of the Crime, he shall remain in Prison till the next Assizes, there to Receive Judgment to Death, or full Satisfaction out of his Lands Goods, or Cattles to the party or parties damnified according to the good Discretion of the Bench.

If any Person whatsoever shall kindle any fire in the woods or Grounds lying in Common, or in his own Grounds so as the same shall runne into any Corne Grounds or Enclosures of his Neighboures, he shall be Lyable to pay all Damage; of whatsoever Sort, and half so much more for a fine; or if not able to pay the Court shall Adjudge the Person guilty of Corporal punishment not exceeding tweenty Stripes, or do Service to Expiate the Crime.

Fugitives.

Every Apprentice and Servant that shall depart or absent themselves from their Master or Dame without leave first obtained shall be Ajudged by the Court to double the time of such their absence by future Service over and above other Damage and Cost which the Master or Dame shall Sustain by such unlawful departure and whosoever shall be proved to have Transported, or to have Contrived the Transportation of any such Apprentice or Servant shall forfeit twenty pounds to the Master or Dame and be fined five pounds to the Court, and every Inhabitant that shall harbour or entertain any such Apprentice or Servant, knowing that he hath

absented himself from his Service, upon due proof thereof shall forfeit to the Master or Dame ten shillings for every Days entertainment or Concealment.

If any Master of Shippe or vessell shall Transport or carry away any freeman whether Merchant or housholder that is, or shall be Indebted here, without Pass or Licence he shall be lyable to satisfy the Debts of the person so Transported, unless the same be otherwayes Satisfied or that such Merchant or Housholder do return again into this Goverment, and Appears to Answer in Court within the space of Six Months after such absence.

Horses and Mares.

That every Town within this Goverment, shall have a marking Iron or flesh Brand for themselves in particular to distinguish the Horses of one Town from another, besides which, every Owner is to have, and Mark his Horse or Horses with his owne Particular flesh Brand having some distinguishing mark, that one mans Horses may be known from anothers.

And that in every Town there be an Officer Appointed by the Constable and Overseers to record every Mans particular mark and to see each particular Mans Horse Mare and Colt Branded; and to take notice and Record the age of each of them as near as he can, with the Colour and all observable marks whether naturall or Artificial and what Artificial marks it had before the Branding whether on the Eare or Else where with the year and day of the Month when Branded And in Each Town the Officer for his Care and pains to have Six pence of the owner of Each Horse, Mare and Colt so Branded and Recorded, And that Every one who hath any Horse or Horses of what Age or kind soever, do duely observe this Order at his perill.

And when any Horse Mare or Colt is to be Sould any other Town, the Purchasers shall Cause the Town mark of the place where he Inhabits, besides his owne particular mark to be sett on, or over the mark of the Town from which he bought them.

The Officer also is to require as Satisfying Evidence of his Right who presents any Such Horse Mare or Colt as may be had; Or to Record any defect of due Evidence that a way may be open to other Claimes.

No Mares Shall be Transported out of this Goverment either to Barbados, Virginia or any other remote or forraine Plantations without Special Licence under the penalty of the forfeiture of the Maare, or Maares So Shippt for Transportation.

To Prevent the frequent abuse of Selling and killing other Mens Horses or Cattle, whereby the true owner Seldome or never know what is become of their Horses or Cattle No man of what quality soever he be shall Sell Truck or give away any Horse or Mare, Cow, Oxe, or Bull not markt as else where directed unto any other person whatsoever, under the penalty of five pounds to be paid by him that Sells, and also five pounds for him that Buyes; which Horse, Mare, Cow, Oxe, or Bull though markt, shall be Regestered in the Town where the property is Changed, within twenty four houres, with the name of the Persons and places of their Habitation, under the penalty of ten pounds to be paid by each party concerned therein as Buyer or Seller.

Neither shall it be Lawful for any man to kill any Cow Ox or Bull, or Such like Cattle, either for Sale or for his private use, before he give Notice thereof, to the person appointed for that Town to Register such matter and a due entry be made thereof; with the Name of the Owner the mark of the Cattle, under the penalty of forfeiting the whole

Cow Oxe or Bull, & so found the one half thereof to the informer, the Other half to the Constable and Overseers.

Impresses.

That in all Publique workes for the safety and defence of the Gouverment or the Nessessary conveniences of Bridges Highways and Comon passages, the Governour or deputy Governour and Councell shall send warrants to any Justices and the Justices to the Constable of the next Town or any other Towne within that Jurisdiction, to send so many Labourers and Artificers as the warrant shall direct, which the Constable and two others or more of the Overseers which the Constable shall choose shall forthwith Execute, and the Constable and Overseers shall have power, to give such wages as they shall Judge the work to deserve, provided that no Ordinary Labourer shall be compelled to work from home above one week together No man shall be compelled to any publique work or service unless the Press be grounded upon some known Law of this Goverment, or an Act of the Governour and Councell Signifying the necessity thereof, In both which Cases a reasonable Allowance shall be made, Nor shall any man be Compelled in Person to any Office, work, warres or other publique service that is necessarily and Sufficiently exempted by want of years greatness of years defect of mind, failing of senses or Impotency of limbes, or by the Quality of the office which is else where exprest.

No man shall be compelled to go out of this Jurisdiction upon any Offencive warrs, but only upon such vindicative and defensive wars as in our own behalf or in the behalf of our Nation, against a Common Enemie shall be enterprized by the Governour with the Advice of the Council or by Authority Derived from the same Neither shall any

mans Cattle or Goods of what kind soever; be pressed or taken for any such publique use or Service, Unless it be by warrant grounded as aforesaid nor without such reasonable satisfaction as the ordinary rates of the Country doth afford and in case either Cattle or goods shall perish or be damaged in such Service the owner shall be recompenced.

Inn keepers & Ordinaryes.

No Person or Persons shall at any time under any pretence or Colour whatsoever undertake to be a Common Victuler keeper of A Cookes shopp, or House of Common entertainment, or publique Seller of wine Beare, Ale or strong waters by retail or a less quantity than a quarter Caske, without a Certificate of his good behaviour from the Constable and two Overseers at least of the parish wherein he dwelt and a Lycence first obtained under the hand of two Justices of the peace in the Sessions upon pain of forfeiting five pounds for every such offence, or Imprisonment at the discretion of the Court.

Every Person so licenced for Common entertainment shall have some Ordinary signe obvious for direction of strangers, within three Months after the Licence granted under the penalty of twenty Shillings.

Every Person Licenced to keep an Ordinary shall always be provided of strong and wholsome Beer, of four bushels of malt, at the least to a Hoggshead which he shall not Sell at above two pence the quart under the penalty of twenty Shillings, for the first Offence, forty shillings for the Second, and loss of his Licence, It is permitted to any to Sell Beer out of Doores at a peny the Ale quart or under.

No Licenced Person shall suffer any to Drink excessively or at unseasonable hours after Nine of the Clock at night in or about any their houses upon

penalty of two shillings six pence for every Offence if Complaint and proofe be made thereof.

If any quarrel or disorder doth arise from intemperate persons within their house, the Person so licenced for not immediately Signifying the same to the Counstable, or one Overseer at the Least, who are Authorized to cause the peace to be kept, shall for every such neglect forfeit Tenne Shillings and every person found Drunk in or about any of their houses shall forfeit two shillings Six pence, And for being the Author or accessary of the breach of the Peace and discorders or for Tipling at unseasonable hours shall forfeit ten Shillings and for want of payment or in case they be Servants and neglect their Masters occations They shall be sent to the Stocks one hour at the least, It shall be lawfull notwithstanding for all Licenced Persons to Entertain Land Travellers or Seafareing men in the night season when they Come on shore or from their Journey for theire necessary refreshment or towards theire preparation for theire Voyage or Journey, And also all Strangers, Lodgers or other Persons may freely Continue in such Houses, when theire Lawfull Occations and business doth require, Provided there be no disorder amongst them.

Every Person so Licenced for the Entertainment of strangers with their Horses, shall provide one or more Enclosure for Summer Hay and Provender for winter with convenient stable roome And attendance; upon Penalty of two Shillings Sixpence for every days default, and double Damage to the party thereby wronged.

No Licenced Person shall unreasonably exact upon his Guest for any sort of entertainment, and no man shall be compelled to pay above eight pence a Meale, with small Beer only unless the Guest shall make other agreement with the person so lycenced.

No Licence shall be granted by any two Justices in Sessions for above the terme of one year, but every person so Licenced before the expiration of the said Terme shall and are hereby enjoyned to repair to the sessions of that Jurisdiction for renewing their Several Licences for which they shall pay to the Clark of the Sessions two Shillings Six pence, or else they shall forfeit five pounds as unlicenced persons.

All Offences commited against this law, shall be determined by the Constable with two or more of the Overseers, who are impowered to Collect and receive the Severall fines or distrayne in Case of non payment rendring accompt thereof as is else where required.

Indians.

No Purchase of lands from Indians After the first day of March 1664 shall be Esteemed a good Title without leave first had and obtained from the Governour and after leave so obtained, The Purchasers shall bring the Sachem and right owner of such Lands before the Governoure to acknowledge satisfaction and payment for the said Lands whereupon they shall have a grant from the Governoure And the Purchase so made and prosecuted is to be entered upon record in the Office & from that time to be valid to all intents and purposes.

All Injuryes done to the Indians of what nature whatsoever; shall upon their Complaint and proofe thereof in any Court have speedy redress gratis, against any Christian in as full and Ample manner, (with reasonable allowance for damage) as if the Case had been betwixt Christian and Christian.

No Person shall sell give or Barter directly or indirectly any Gun or Guns Powder, Bullet, shott, Lead nor any Vessel of Burthen, or Row Boate Canooes only excepted Without Licence first had and obtained under the Governours hand and Seal,

to any Indian whatsoever, nor to any person Inhabitting out of this Goverment nor shall amend or repair any Gun belonging to any Indian, nor shall Sell any armour or weapons, upon penalty of ten pounds for every Gun, Armour, weapon, Vessell, or Boat, so Sould given or Bartered, five pounds for every pound of powder, and forty Shillings for every pound of Shott or Lead and proportionably for any greater or lesser quantity.

No Person Shall from and after the first day of September 1665 Directly or Indirectly Trade with the Indians for any sort of furrs without Licence first had from the Governoure which Licence is to be renewed every year at the Governours pleasure, remained if he shall find just Exception.

No Person whatsoever from henceforth shall Sell, Truck, Barter, give or deliver any Strong Liquores to any Indian directly or indirectly, whatsoever known by the name of Rum Strong waters, wine Brandy Spirrits or any other Strong Liquore under any other Name whatsoever; Under the Penalty of forty Shillings for one pint and So proportionably for greater or lesser quantities so Sould, Bartered, given or dilivered as aforesaid, One third part of this penalty to be to the informer, Provided always that it is and shall be Lawfull by way of reliefe and Charity to any Indian in Case of sudden extremity sickness faintness or weariness to sell or give to such Indian or Indians the quantity of two drames and no more of any such Strong Liquors as are aforementioned Provided also that the Governoure by Licence may Authorize any person or persons to sell any or all Such Strong Liquores to Indians upon Security taken from the person Licenced for his or theire good behaviour.

In all Places within this Goverment the English and all others shall keep their Cattle from destroying the Indians Corne in any ground where they have

right to plant and if any of theire Corne be destroyed for want of fencing the Towne shall make Satisfaction, and shall have power amongst themselves to lay the Charge where the Occation of the Damage did arise.

Provided that the Indians shall make proofe the Cattle of such a Town farme or Person did the Damage And for the Indians Encouragement towards the fencing in theire Corn fields, such Townes farmers or Persons where Cattle may annoy them that way shall Direct, Assist and help them in felling of trees riving and sharpening Rayles and holing of Poasts; allowing one English man to three or more Indians and shall also draw the fencing into place for them, and allow one man a day or two towards the setting up of the same, And either sell or lend them Tooles to finish it Provided that such Indians shall fence their Cornefields or Ground att their own Charge, And if any Indians shall refuse to fence their Corne Grounds (being tendred help as aforesaid,) in the presents and hearing of Sufficient witnesses They shall keep of all Cattle or loose their Damage.

And if any harme be done at any time by the Indians unto the English in theire Cattle, The Gouernoure or Deputy Governour with two of the Councell, or any Court of Sessions or Assises may order Satisfaction according to Law and Justice.

No Indian whatsoever shall at any time be Suffered to Powaw or performe outward worship to the Devil in any Towne within this Goverment.

Jurores and Juryes.

That the Clark of the Sessions shall in Convenient time before the Sitting of the Court give a Certificate to the Sheriffe or under Sheriff of what and how many Causes are entered for their hearing the next Sessions to the end the Sheriff or under Sheriff may (and

are hereby required) Immediately to Issue forth warrants to the Constable of the Severall Townes of the Jurisdiction of the Court for Jurymen proportionable to the Causes with regard to the equality of the number from each Town and according to the warrant The Constable shall warn so many of the Overseers to attend as Jurymen and return their names to the under Sheriff, And if such Number of Jury men so required, prove not Sufficient for Carrying on the business with dispatch to the Sessions The Justices may require the Sheriffe or under Sheriffe, to Supply their number with so many able and discreet men as shall either attend the Court upon other occations, or shall happen to be Inhabitants of the Towne where the Court shall be held.

All Juryes so Chosen shall be Empanelled and Sworn truly to try between party and party and shall find the matter of fact, with the Damages and Costs according to the Evidence; where upon the Justices in the absence of other Superior Officers, shall pronounce the sentance directing the Jury in point of Law, and if there bee matter of apparent equity upon the forfeiture of an Obligation, breach of Covenant without damage or the like, the Bench shall determine such matters of equity.

Every Juryman shall be allowed three Shillings Six pence per Diem for the Charges of their Attendance out of the fees and profits arising in each Court where they do Service, or by the Country if those fall Short.

No Jury shall exceed the number of Seaven nor be under Six unless in Special Causes upon Life and Death, The Justices shall thinke fitt to Appoint twelve.

In all Cases wherein the Law is obscure, so as the Jury cannot be Sattisfied therein. They have Liberty to present a special verdict (viz) If the Law be so in such a point, We find for the plaintiffe but

if the Law be otherwise, We find for the Defendant, In which Case the determination doth properly belong to the Court, And all Juryes shall have liberty in matter of fact, if they cannot finde the maine Issue, yet to find and present in their verdict so much as they Can.

Whensoever any Jury or Jurores are not Clear in their Judgements concerning any Case, they shall have liberty in open Court (but not otherwise) to advice with any particular man upon the Bench, or any other whom they shall think fitt to Resolve and direct them before they give in their Verdict.

The Verdict shall be given in, by the foreman of the Jury.

A Verdict shall be so esteemed, when the Major part of the Jury is agreed, and the Minor shall be concluded by the Major without allowance of any protest by any of them to the Contrary; Except in Case of Life and Death where the whole Jury is to be unanimos in their Virdict.

The Bench is briefly to sum up the Evidence by way of Information to the Jury.

To be Father, Brother, Uncle, Nephew or Cousen German to the party or Parties Concerned, shall be a Lawful Exemption against a Jurore before he be Sworn & not after.

Any one that shall presume to reveale the dissenting votes of a Jury or Arbutration, shall forfeit ten Shillings for the first offences and for farther breach of this Law The next Court of Sessions, or Assizes shall impose a greater fine on the Offender according to the Meritts of the Cause.

Justices of the Peace.

The Justices of the Peace or Sheriffe or either of them shall have Power to Issue out writts or warrants according to the nature of the plaint.

The warrants of any Justice of the Peace, shall be of force and is to be Executed by any inferiour Officer in any of the Ridings, as fully and Effectually, as if the Justice were an Inhabitant within that Riding, Provided always that the Plaintiffe, or Cause of Plaint do arise within the Riding where the Justice doth dwell The like Rule is to be observed in Hue and Cryes.

The eldest Justice of Peace in the absence of the Governor Deputy Governoure or Some one of the Council shall pronounce the Decrees or Sentence of the Court, Except in Case of Natural Imperfections, or agreement amongst the Justices themselves, it be otherwise determined to any other Person of them, In neither of which Cases the Justice shall Refuse to do his Office, or Enter his desent to the prejudice of the Court.

Any Justice of the Peace, may if he please, or see cause for it Preside as Cheife in any of the Towne Meetings within the Jurisdiction where he dwells.

Lands.

All Lands and heritages within this Goverment shall be free from all fines and Licences, upon Alienation and from all Heriotts, Wardships Liveryes Primier Seizins year day and wast, Escheats, and forfeitures upon the Death of Parents or Auncestors Natural, unnatural, Casuall, or judiciall, and that for ever (Cases of high treason only Excepted.)

To the end all former Purchases may be asertained to the present possesser or right owner They shall bring in their former Grants, and take out new pattents for the same from the present Governoure in the behalfe of his Royall Highness the Duke of Yorke.

All Purchasores of implanted Lands shall of their Cost and Charge, Cause a Survey and Draught

thereof to be made within one yeare after such Purchases and deliver the Same into the Office of Records, whereby the bounds and Limits thereof may bee justly distinguished, and if the purchasors shall not within three years after the Survey plant Seat or Inhabit upon the said purchasse they shall forfeit their Right, Title, and Interest therein.

Every Purchasor in acknowledgment of the propriety of such Lands belonging to his Royal Highness James Duke of Yorke, shall upon Sealing of the Pattent Pay unto the Governoure So much as they shall agree upon; Not exceeding for every hundred Acres.

And upon the Seating of a Towne two Towne Lotts shall be reserved by the Purchaser to the use of the Gouernoure (Gratis) to dispose of to such as he shall thinke fitt.

Lawes.

In regard it is almost impossible to provide Sufficient Lawes in all Cases, or proper Punishments for all Crimes the Court of Sessions shall not take further Cognizance of any Case or Crimes, whereof there is not provition made in some Lawes but to remit the Case or Crime, with the Due Examination and proof to the Next Court of Assizes where matters of Equity shall be decided, or Punishment awarded according to the discretion of the Bench and not Contrary to the known Laws of England.

Lying and False News.

Every Person of age of discretion which shall be reputed of fourteen years or upwards, who shall wittingly and willingly forge or Publish fals newes whereof no Certain Auther nor Authentique Letter out of any part of Europe can be produced, whereby the minds of People are frequently disquieted or exasperated in relation to publique Affairs, or parti-

cular Persons injuried in their good names and Credits by such Common deceites and abuses Upon due proofe made by Sufficient witnesses before the Governour or any Court of Sessions the Person so Offending in ordinary Cases shall for the first offence be fined ten shillings, for the second offence twenty shillings and for the third offence forty Shillings and if the party be unable to pay the same he shall be Sett in the Stocks so longe, or publiquely whipt with so many stripes as the Governor or any Court of Sessions shall think fitt not exceeding forty stripes; or four houres Sitting in the Stocks, and for the fourth offence he shall be bound to his good behaviour, paying Cost or Service to the Informer and witnesses, such as shall be judged reasonable sattisfaction, But in Cases of high nature and publique Concernes, the fine or punishment, shall be increast according to the discretion of the Governor and Council onely.

Marriages.

Whereas by the Law of England no Marriage is Lawfully Consummated without a Minister whose office it is to join the parties in Matrimony after the Banes thrice published in the Church or a Lycence first had and obtained from some person thereunto Authorized, All which formality cannot be duly practied in these parts.

Yet to the end that a decent rule therein may be preserved It is Ordained that from henceforth the names and surnames of each Party who sue for Marriage shall be Publiquely read in their Parish Church or place of usuall Meeting, where they both then Inhabit three severall Lords days successively.

And where no Church or Meeting place shall happen to bee, a publication in writing shall be first fourteen Days before Marriage upon three doors of each parish whereof the partyes Inhabit (viz) one on the Constables the other two upon any two Doors of the

Overseers of the Parrish Unless they produce a Lycence from the Governour in both which Cases, and not otherwise, it shall be Lawfull for any Minister or for any Justice of Peace to joyne the Parties in Marriage, Provided that the said Partyes do purge themselves by Oath before the Minister or Justice that they are not under the Bonds of Matrimony to any other Person Living, and if it shall be after proved, that either both of the Parties are perjured, and thereby attained a Double Marriage for the said perjury the party or parties offending shall bee boared through the tongue with a read hot Iron and moreover proceeded against as in Case of Adultery is provided; But if either Party be approved Innocent as to him or her Self and Ignorant of the others wicked fraud the innocent Person shall recover damage against the nocent; and be sett at Liberty as if no such Marriage had been made.

No man shall harbour, conceal or detain Contrary to the concent of the Husband any Married woman, upon penalty of five Shillings for every hour that such Married woman remains under his Roof; after demand made by her Husband at the Dwelling house where his wife is so harboured concealed or detained.

Provided always that any woman flying from the barbarour Cruelty of Her Husband to the House of the Constable or one of the Overseers of the same Parish; may be protected by them in the manner as is Directed for Servants in such Cases, and not otherwise.

In what cases it shall not be Punishable to Re Marry.

If either the man or woman shall be Convicted to have falsified their Oath to the Justice of Peace or Minister the other is free to Marry.

If Sufficient Certificates be brought from any forraigne parts agreeing with allowable Circumstances that the man or the woman are dead, the time, place,

and manner specified under the hand and Seal of some Creditable person and known Magestrate the other is free.

If either the man or woman Travelling by sea or Land into any forraign Parts, which voyage by Common computation may be perfected in one years time or Less or in few days, of whom no Certain knowledge or news shall be had within five years after his or her departure nor of any that accompanyed him or her in the voyage it may be justly presumed such Person is Dead, and after the expiration of five Compleat years the other is free to Marry.

Provided always that if either the man or the woman shall at any time after the Expiration of five years Returne and bring full Testimony that hee or shee have divers wayes endeavoured by writings or Messages to make known to his wife, or her Husband, that Shee or hee were then living, or that they were by Imprisonment or Bond Slavery with the Turks or other Heathen, Lawfully hendred from giving such information It shall and may be lawfull for the said man or woman to Challenge his or her premarriage, and obtain an order for their Cohabiting as formerly, but if neither shall sue for such an order, They may by mutuall agreement Enter a Release to each other in the office of Records, and both remain free from their former obligations The father onely of the Children as are begotten in Lawfull Marriage is to provide for such Children as shall be adjudged in the Court of Assizes only.

If any man shall hereafter presume to Marry contrary to these Lawes prescribed the Person offending shall be proceeded against as for Adultery or fornication according to Evidence the Children so begotten shall be Reputed Bastards, And the Parents Suffer such paines and penalties by fines or Punishment as they have deserved.

If any Justice of Peace or Minister shall presume to Marry any Daughter, Maid or Servant; without

the known Consent of the Parents (if any be living) or the known Consent of the Master or Dame of the Servant, or any other Person who have not been thrice asked in the Church or usuall meeting place or otherwise Legally published, or without a special Licence for his so doing, under the hand and Seal of the Governour, The Justice or Minister shall forfeit twenty pounds, and be put out of his office.

Masters. Servants. & Labourers.

No Servant either Male or Female, shall either give sell or Truck any Commodity whatsoever, dureing the time of theire Service, under the penalty of fine or Corporal punishment, by warrant under the hands of two Justices of the Peace as the Offence shall meritt, And whatsoever Person shall either Buy, receive or Truck with any such Servant Contrary to this Law they shall be compelled to restore the said Commodityes to the Master of such Servants or Servant, and forfeit the double value thereof to the poor of the Parish where they shall Inhabit.

All Labourers and Servants shall work in their Callings being thereunto required, the whole day, the Master or Dame allowing them convenient time for food and rest.

If any servant shall run away from their Master or Dame or any other Inhabitants shall privily convey them away or upon Suspicion of such their evil Intentions Every Justice of the Peace or any Constable with two Overseers where no Justice is at hand Have power to press Men Horses, Boats, or Pinnaces, at the Publique Charge, to pursue such Persons, both by Sea and Land and to bring them back by force of Armes, to Clear themselves of such Crimes or Suspition thereof.

No man shall refuse for Service or worke done, his Payment in Corne at the usual Rate, Provided that the Corne be Merchantable, Provided also that no

Speciall agreement was before hand made for any perticuler payment if so then to be paid in the same Specie agreed upon or Consideration for default thereof by Arbutration.

If any Masters or Dames shall Tyrannically and Cruelly abuse their Servants, upon Complaint made by the Servant to the Constable and Overseers, they shall take Speedy redress therein, by Admonishing the Master or Dame not to provoke their Servants, And upon the Servants Second Complaint, of the like usage It shall be Lawful for the Constable and Overseers to proteect and Sustaine such Servants in their Houses till due Order be taken for their Reliefe in the ensuing Sessions Provided that due Notice thereof be Speedily given to Such Masters or Dames, and the Cause why such Servants are Protected and Sustained, and in Case any Master or Dame by such Tyranny and Cruelty, and not Casually, shall smite out the Eye or Tooth of any such man or maid Servant, or shall otherwise Maime or disfigure them such Servants after due proof made shall be sett free from their Service, And have a further allowance and recompence as the Court of Sessions shall judge meet.

But in Case any Servant or Servants shall causelessly Complain against their Master or Dame If they cannot make proofe of a just occation for such Complaints such Servants shall by the Justices of the Court of Sessions be enjoyned to serve three Months time extraordinary (Gratis) for every such vndue Complaint.

No Servant, except such are duly so for life, shall be Assigned over to other Masters or Dames by themselves their Executors or Administrators for above the Space of one year, unless for good reasons offered; the Court of Sessions shall otherwise think fitt to order, In such Case the Assignment shall stand good Otherwise to be void in Law.

All Servants who have served Diligently; and faithfully to the benifit of their Masters or Dames five

or Seaven yeares, shall not be Sent empty away, and if any have proved unfaithful or negligent in their Service, notwithstanding the good usage of their Masters, They shall not be dismist, till they have made satisfaction according to the Judgment of the Constable and Overseers of the parish where they dwell.

Military affaires.

For as much as the good Management of the Militia is the Support of all Goverments in Peace and Safety, to which all Persons of what quality soever are obliged in duty & Conscience in their proportions to be Aiding and Assisting to this good end these following Lawes are to be observed.

1 First, that every Male Person above the age of sixteen years Except, Justices, Sherriffes, high Constables and under Sherriffe Petty Constable Ministers and professed Schoolmasters, Physicians and Chirurgeons, allowed of by two Justices, Clarkes of Assizes or Sessions Publique Notaries, Masters of Shipps or vessels above Twenty Tunns Constant heardsmen or such as for bodily Infirmity or old age shall be excused by the Justices in any Sessions, as also one servant of each Justice or high Sheriff shall duely attend all Military Exercises and Service as Trayning watching and warding, when they are thereunto required and warned by their Officers under the penalty of five shillings for every Dayes default.

2 Every Town shall be provided of a Sufficient ware house and a Safe convenient place thereunto Adjoyning for keeping Powder and Ammunition; under the penalty of ten Pounds and the Constable and Overseers shall provide and maintain for a General Stock to the use of the Town in Case of necessity, one Barrell of good Pouder, English weight one hundred and fifty Pounds of Muskett or Pistell Bullets Thirty Pounds of good Match; which they shall carefully renew from yeare to yeare, or time to time

as shall be needful under the Penalty of five pounds, for The want of such proportions of Bullets, Pouder, or Match as beforementioned; And where there are Artillery forts or Batteryes in any Town, The Constable and Overseers shall Mount such Guns, and fitt them with Appurtenances for Service, and the Constable and Overseers are hereby Authorized to Assess Levy or destrain upon the Inhabitants for building providing doing and maintaining the particulars before recited.

3 Besides the Generall stock of each Town Every Male within this Goverment from Sixteen to Sixty years of age, or not freed by public Allowance, shall if freeholders at their own, if sons or Servants at their Parents and Masters Charge and Cost, be furnished from time to time and so Continue well furnished with Armes and other Suitable provition hereafter mentioned: under the penalty of five Shillings for the least default therein Namely a good Serviceable Gun, allowed Sufficient by his Military Officer to be kept in Constant fitness for present Service, with a good sword bandeleers or horne a worme a Scowerer a priming wire Shott Badge and Charger one pound of good powder, four pounds of Pistol bullets or twenty four bullets fitted to the gunne, four fathom of Serviceable Match for match lock gunn four good flints fitted for a fire lock gunn, And all Captains or Military, Officers are hereby required to give in or send an Accompt yearly, to the Governour and Councell how the Inhabitants are firnished and provided, That due Supply may be Ordered.

4 That the Constable and Overseers shall in behalf of their Town present to the Governour three names of the most fitt persons in their Towne to be Captaine Lieutenant and Ensigne to whome the Governour shall Issue forth Commissions accordingly, unlesse hee have Sufficient Exceptions against either of them In which case the Constable and Overseers,

shall proceed to a new Election, which is to bee by the plurality of voyces of the Soldiers.

5 No man Elected into any Military Office, shall refuse to accept thereof, or discharge his trust therein under the penalty of five pounds whereof one half to be paid to the Governour and the other halfe to him that is chosen in his place, and accepts thereof.

6 The Captaine or Chiefe Military Officer in each Towne is impoured once in three Months at least every yeare or oftner if they see good, to take a Strickt view, how every man is furnished with Armes and Ammunition according to Law and where any are found faulty They are required to make presentments thereof to the Constable and Overseers of the said Towne, That the fines and penalties may by them from tyme to tyme be duely Levied, and if this view of Armes and Ammunition, shall at any time be neglected or the defects not duly presented, The Captaine or Chiefe Military Officer shall pay forty Shillings for his Neglect, which fine shall be Levied by the Constable and applyed to the maintenance of the Publique Stock of the Towne.

7 All fines for the Neglect of Townes or Captains and Chief Oficers in Military affairs, shall be imposed by the Court of Sessions only and not otherwise, but for the neglect of particular persons by the Constable & Overseers.

8 Every Town within this Goverment shall have every year four Days of Trayning amongst themselves and their shall be also in each Ryding once in the yeare a General Trayning of all the Townes within that Jurisdiction which may take up three dayes time, the one in Coming to the place appointed, the next for the Trayning, and the third for every one to Returne to theire Habitations.

8 There shall be likewise once in two years a General Trayning for all Souldiers within this Goverment The time and place to be at the Nomination of the Governor.

In the Severall Traynings All Males above sixteen Years of age who are not freed from that Service, are to be taught and Instructed in the Comely handling and ready use of their Armes, in all postures of Warre to understand and attend all words of Command, And further To fitt all Such as are or shall be in Some measure instructed for all Military Service, against therebe occation under the penalty of forty Shillings to be Leveyed upon the Military Officers, as upon Examination they shall be found more or less faulty and with respect to their place the greater trust paying the Greatest fine for neglect And the dayes to be appointed for private and Generall Traynings shall be at the most Convenient times of the Year for Traynings, but not within fourteen dayes one of another, Moreover every such Trayning Day the Major Generall or Chief Military Officer present shall cause the names of all the Souldiers to be read in the forenoone andin the afternoone also if hee see Cause And whosoever in any Trayning day shall be totally absent, shall pay five Shillings for every such default, whoever shall at any time of the day withdraw himself from the Service without leave from the Chiefe Military Officer present hee shall pay either as for total absence, or a greater or less fine as the Offence considered in all Circumstances may require And whosoever shall come late, shall pay for each such default one Shilling & for any other disorderly offencive Carriage according to the Nature and measure of it Nor shall any Town suffer their Jnhabitants to Neglect or grow Slight in a Service of such importance And what fines shall be levyed by virtue of any neglect or Misdemeanor at the General Trayning of such Jurisdiction The Major General shall have the one third and the other Officers two thirds.

9 All fines arising upon this accompt, and not exprest here, they shall be disposed of are to be Em-

ployed in the Buying Drumes, Colours, Halberds and other necessary Charges relating to the Militia.

10 The Governor and Councell shall send warrants to the Major General, the Major General to the Captaines and Chief Officers, to draw their Severall Companies to a Certain place mentioned in the said warrants, allowing fourteen Dayes warnings in time of peace, But if at any time there shall happen within this Goverment any Forraigne Invation or any Publique attempt or annoyance from a Common Enemy, whether Christian or Pagan or other Insurrection or Rebellion against the Lawfull Authority In such Case the Governor by warrant to the Major Generall the Major Generall to the Sheriffe, the Sheriff to all Officers both Civill and Military shall Immediately dispatch Order Warrants or presepts to all other Persons whatsoever, that upon their utmost perills of fine and Imprisonment, by the Governor & Councill they nor any of them do fail to meet upon a Certaine day and place in the warrant to be expressed with their Armes and other Military provitions, where the Sheriffe in person is also to appear and attend there to receive further Order from the Governor and Council.

19* All inferiour Military Officers shall punctually obey the Orders of their Superiors in their Marches Quarters, and watches without murmuring and repining under the penalty of being fined at the Discretion of the Major General and Captains, from whose Sentence no appeal shall bee made to any Inferiour Court, nor abatemented granted, except by the Governor & Councill.

12 The three Chiefe Officers of each Company have power to punish any Souldier or Souldiers that shall commit disorder or Contempt upon any day or time of Military Exercise within their Towne or upon any watch or ward, by Stocks Riding wooden Horse or other Military punishments or by fine not

* Match Locks accepted against, omited which was the 11.

exceeding ten Shillings or may Commit such offenders to the Constable, to bee carried before some Justice of the peace who may bind him over to the next Court of Sessions, or Commit him to prison if the Cause so require.

13 Offences of Contempt or disorder at any General Trayning shall bee heard and Adjudged by the Major General and the Captaines onely, who have power to double the fine or Treble the punishment upon the Offenders, though not to alter the manner which is directed to the Chiefe Military Officers in Towne Traynings.

14 If any Person cannot procure Armes or Ammunition with such pay or meanes as hee hath, If hee bring to the Captaine so much Corne as by the apprizement of the said Captain and two other Indifferent men whereof one to bee Chosen by the party, shall bee adjudged of greater value by a fifth part, then such Armes and Ammunition is of hee shall bee excused of the penalty for want of Armes untill hee bee provided, and the Captaine shall Endeavoure to furnish him so soone as may bee by Sale of such goods so deposited, rendring the Overplus to the party, But if any person shall not bee able to provide himself Armes and Ammunition though meere poverty, if hee be Single he shall bee put to Service by the Constable and Overseers of the place where he dwelleth, or they shall provide him Armes and Ammunition and shall appoint him when and with whom to worke it out.

15 Vpon any Expedition upon occation of and Enemy or any present Military Service to be done, All Smiths and other needfull workmen shall immediately repaire such Armes and other Necessaries as shall be brought to them for that end, for which they shall not refuse such pay as the Country affords, upon the penalty of five pounds for every Such default, and for any Such neglect at any time, other time

more then ten dayes, shall forfeit for every such Offence ten Shillings.

16 No man shall be Compeld to bear Armes or wage war by sea or Land, without the bounds and limits of this Goverment, But from Defensive warrs noe man shall be exempted.

17 All defensive or vindictive Warrs upon Indyans shall be maintained by a Generall Assesment proportioned on each Towne according to the pay and Custome of England to Soldiers and half pay to Officers.

18 In respect of the mutuall, and Brotherly Assistance which wee ought at all times to Cherish and improve, for the helpe and Support of our English Neighbours in other his Majestyes Colonyes The Governour and Counsel may at all tymes and in all places, by beat of Drum or otherwise, Call together list, raise Armes and send forth out of this Goverment all such, or so many men as shall voluntaryly present themselves to the Service whether Servants or freemen, with this distinction onely, that if any Servant making use of that pretext, to Escape from his Master, shall flee and absent himselfe from his Colours, and not returne, if Living with his Officers; such Servant so Offending, shall be Lyable To bee punished by Death, according to the dissipline of warre and the master of such Servants shall have reasonable satisfaction allowed him by the Governour for such Damage And to all Voluntary Souldiers so Levied, shall be Allowed one Moneths pay and made good by a General Assessment proportioned to each Towne, all further Charges are to bee defrayed by the Colony to whose Assistance they are Employed, And all Justices of Peace Sheriffs high Constables and other Officers are impowered and required to Suppress and hinder all Levyes of Souldiers by beat of Drume or otherwise to be composed, But such as shall be Authorized by his Majesties immediate

warrants, or the Governor and Council here Established.

20 All souldiers shall bee respective to their Officers and Obedient to their Command in their Marchings Quarterings and watchings as well as Traynings, whilest they are required to attend the Service, under the penalty (for their Disobediance in ordinary occations) of five shillings but in Case of such Disobediance happens before the face of an Enemy; or when it is reasonably expected that an Enemy is at hand, to make an assault in such Cases the Officer or Officers shall commit such person or persons into Custody and at Convenient time either to Sentence the Offender to some grievous punishment by a Court Marshall, or remitt the Tryal thereof to the Court of Assizes who are impowered to hear, Examine and Determine the Cause and what fine or penalty that Court shall thinke to impose upon the offender.

21 If any man appointed to stand Centinel, shall bee found sleeping during that duty, whereby the lives of others are in Danger, hee shall pay forty Shillings or suffer other Military Punishment, but if hee shall come off from being Centinel without being relieved hee shall forfeit five pounds.

22 Every man that absents himselfe from the watch without leave from his Officers, shall pay five Shillings, and with leave shall hire another; in his place, But if any man shall depart from the watch without leave of his Officers he shall forfeit ten Shillings or more, with other paines and penalties, according to the measure of the Danger that may ensue thereupon.

23 That no Troope of Horse shall exceed the Number of fifty Troopers besides officers (viz) A Captaine, a Lieutenant, A Cornet, a Quarter Master, three Corporals, which Officers and the private Troopers are to observe the same times for Muster and Exercise in Military discipline with all other

Circumstances enjoyned upon the foot Officers and Souldiers respectively, Mutatis Mutandis as followeth.

24 Every Trooper listed in any Troope of Horse shall keepe and maintaine a good Horse Fitted with Sadle, bridle, Holsters, Pistolls, or Carbine, and a good Sword under the penalty of ten Shillings for the least default.

Neither is it lawful for any Trooper to sell or Change his Horse without his Captaine's concent under ye penalty of five pounds.

And for non appearance upon dayes of Muster and Exercise ten Shillings a day.

Neither is it Lawfull for any listed Trooper to disband himself, but with leave from his Captaine under the penalty of fifty Shillings.

All Officers both of Horse and foote shall from time to time Obey their Superiour Officers in all things Relating to the Military affaires of this Goverment.

All other Penalties for defaults in other Officers or Souldiers of a Troope of Horse, shall bee the same and Levied in the same manner, and applyed to such uses as are else where directed and Ordained in Relation to the foote Officers and Souldiers.

Officers and Offices.

All Sheriffs under Sheriffs or High Constables and Constables shall be Changed every yeare, only the under Sheriffes or high Constables, by Speciall warrant may continue in their Office.

Justices of the Peace are to continue in their Places dureing the Governours pleasure.

Clarks of Courts Cryers, and Marshalls, are to continue in their places dureing their good behaviour for breach of which they are punishable by the Loss of their places, and fine at the Discretion of the Court.

That the Governour and Council may by Special warrant displace any Officer made or Chosen within this Goverment for Neglecting of his Office or other Notorious misdemeanor; and misbehaviour, In which Case the Counstable and Overseers of any Towne shall proceed to a new Election, to Supply the vacancy as if the said Officer were Dead, According to the Rules prescribed for Election of Town Officers.

Overseers.

Overseers shall be eight in Number, men of good fame and life, Chosen by the plurality of voyces of the freeholders in each Town, whereof foure shall remain in their Office two years Successively, and four shall be Changed for New ones every yeare, which Election shall preceed the Elections of Constables, in point of time, In regard the Constable for the yeare ensuing, is to be chosen out of that Number which are dismist from their Office of Overseers.

The New Chosen Overseers are to bee presented by the old Constable, and Overseers, to bee Confirmed by the Justices of the Peace at the next Sessions ensuing by taking the Oath appointed for Overseers.

Any one Overseers upon any sudden and necessary occation (the Constable being not at hand, or not in health to performe his Office) May take upon him the Authority of a Constable, Provided that he carry with him the staffe of the Office, which shall be a Sufficient warrant to any such Overseers to Act by virtue thereof, and in his Majesties name as any Constable might or ought to do.

Orphants.

That all Persons who now have or shall have any Estate of Goods Chattle or Lands; in their possession, belonging to any that are under age shall exhi-

bite an Inventory and Accompts of that said Estate within three Moneths next after Publication of this Law, to the respective Courts of Sessions where such Estate shall be and afterwards yearly; And in Case such Person or Persons who have such Estate, in their hands, do not at the time and place aforesaid present the Inventory and Accompts of such Estates as aforesaid; Then that the whole businesse be sent to the next Court of Assises where the Offender shall be fined for Neglect of Exhibiting as aforesaid; and if any good Improvement hath not been made of the Estate; yet if it shall be thought Convenient to Continue it in the said Persons hands hee or they shall give better Caution and security or else it shall bee removed into the hands of some other able & discreet Person or Persons as the Court shall appoint upon the Cautions aforesaid.

Payments.

All Payments upon Contracts & Engagements shall bee Satisfied in kind according to Covenant, Provided that in such Cases where payment in kind according to Covenant is by Some inevitable accident hindred which could not be foreseen.

All just Damages may bee Satisfied, together with the Debt by Arbitration, but in no Case shall any Creditor be forced to relinquish his just pretence to bee Satisfied in kind according to his Covenant.

Pipe Staves.

That the Constable and Overseers in all Townes within this Goverment where pipe Staves shall bee shipt, do from time to time as need shall require; Nominate two men of each Town, Skilfull in the Commodity, And such as can attend the service, to be viewers of Pipe Staves, who so chosen shall be by the Constable convented before some Justice of the Peace to be Sworn, diligently and faithfully to view

& search all such Pipe Staves as are to be transported and to be used for making of right Caske who shall cast by all such as they shall judge not Merchantable, both in respect of worme holes, and due Assize (viz) That are not in length four foot and a halfe in breadth three Inches and a half without sap, in thickness three quarters of an Inch, and not more or less then an eighth part of an Inch, then three quarters of an Inch, well and even hewed and Sufficient for use, And they or Some of them shall at all times upon request give attendance, and they shall enter into a Booke the Number of all such Merchantable Pipe Staves as they shall approve, and for whowe, And if any man shall put abord any ship or any other vessel, any Pipe Staves other then shall be so Searched and proved, to the end to be transported to any other place, Except they should be shipt for dry Caske, he shall forfeit the same whole percell or the value thereof And the viewers shall be allowed two Shillings for every thousand of pipe Staves which they shall so Search; as well the refues, as the Merchantable to bee paid by him that set them to work; And if any master or other Officer of any Ship or other vessel shall Receive into such ship or Vessell any percell of pipe Staves to be Transported as aforesaid, which shall not be Searched and allowed as Merchantable and so Certified by a noate under the hand of one of the said Viewers, Such Master shall forfeit for every thousand of Pipe Staves so unduely received five pounds; Except he can procure one of the said viewers to come on Board And Search such Staves, as they say bee delivered into The shipp Provided Cast or refuse Staves, or other Red Oake Staves may be transported into those parts which may be of good use for Dry Caske, so as the same bee Carryed in distinct percells and not intermixt with Merchantable Staves.

Possession.

Every Person or Persons that hath either himself, or by his Grantee or Assignee possest or Occupied any Lands or Houses as his or their owne proper right in fee Simple within this Goverment and shall so continue; whether in their owne Persons, their heirs or Assigns, or by any other Person or Persons, from, by, or under them in possession as aforesaid, without disturbance Let Suite or deniall Legally made to such Lands, or Houses for the tearme of foure yeares last past, and shall so remaine without any Claime legally Entred against the possessour before the first day of September, which shall be in the year of our Lord 1665, Shall from and after the first day of September and for ever enjoy the same without any Lett, Suit disturbance or denyal, any Claim or pretence of any Person or persons to the Contrary notwithstanding Provided That it shall be Lawfull for any Person that shall find himself aggrieved herein to make his Appeale to his Majesty.

Publique Affaires.

Whereas this Goverment may in many Occations be disappointed of speedy and true Information of Publique Affairs out of England, as well as out of our Neighbours Colonyes To the remedy of such future inconveniences, Every Constable to whom any letters shall come Directed to the Governour Attested on the Backe side the letter with the Name of one of his Majesties principall Secretaryes of State, or with the name of any one of the Governours of any of his Majesties Coloneyes of New England; or any Letters Sent from the Governour to the Sheriff or any of the Justices of York shire upon Long IsLand and so Attested as abovesaid, shall be dispatcht by every such Constable within three hours at the furthest, after the receipt thereof to the next Constable

and so forwards as the letter directs Upon the penalty of forty Shillings for every hours delay And in such cases all Constables are Impowered to Press a Sufficient horse and Man to that purpose Allowing for the Man and Horse Satisfaction Six pence for each Miles travel, which shall be discounted to each Constable in the Publique Rates.

Packers Caske and Coopes Gager.

That all Caske used for any Liquors fish, Beefe, Porke or other Commodities to be put to Sale shall be of London Assize and of Sound and well Seasoned Timber and that fitt Persons shall from time to time be appointed in all places needfull to Gage all such Vessels or Caske and such as shall be found of due Assize, shall be Marked with the Gagers marke; who shall have foure pence per tunne; And every Cooper shall have a distinct brand Marke on his owne Caske; upon the penalty of forfeiture of Twenty Shillings, And whosoever shall put to sale any new Caske being defective either in workmanship, Timber or Assize as aforesaid; upon due proofe made thereof before any of the Country shall forfeit ten Shillings per Tunne and so proportionably for greator and lesser Caske; And because there may be no Neglect in the choyce of a Gager or Packer That Every Towne within this Jurisdiction; wherein any Caske are made, shall yearely make Choice of a fitt man for that Imployment, who being prefered by the Constable within one Moneth after the Choice made; before the next Justice of the peace, shall there take his oath belonging to his place, which if hee shall refuse hee shall pay the summe of forty Shillings and another shall be Chosen in his Roome, Also the Towne or Constable shall either of them suffer the Like penalty, for their Neglect of this order, And every Gager or Packer shall see that all Cask he Packs, Beefe, Porke, Mackerell, fish or other

Goods, Commited to his Care, bee of true and full Assizes and that hee packe the same in no other Caske whatsoever, on the penalty of ten Shillings for every Caske by him Packed, that is or shall be defective in that respect, one halfe to the Informer, and the other halfe to the Governour.

That in every Towne where any such Goods are Packed up for Sale, the Gager or Packer of that Towne, or if the Towne where in it is put to Sale or Shipped shall see that it be well and orderly performed (viz) Beefe, and Porke the whole halfe or Quarter and so proportionably, that the best be not left out, and for fish that they be packed all of one kind, and all Caske soe packed be full Sound and well Seasoned, Setting his Seal on all Caske so packed, and hee shall receive of the owner for so packing and Sealing four Shillings per Tunne, But if the Gager do but only view them, and find them good and Sufficient, he shall sett his Seal on them, and have one Shilling per Tunne, for so doing, and if such Goods so packed shall be put to Sale without the Gagers Marke, hee shall forfeit the said goods that so put them to Sale, the one halfe to the Informer the other halfe to the Governour.

Pounds Prisons & Stocks.

Every Towne shall at their charge provide a paire of Stockes for offenders, and a pound for the impounding of Cattle; and Prisons and Pilloryes are likewise to be provided in these Towns where the Severall Courts of Sessions are to be holden.

Public Charges.

That every Inhabitant within this Goverment shall Contribute to all charges, both in Church and Coloney; whereof he doth or may receive benefit, and every such Inhabitant that doth not voluntarily Contribute proportionably to his Ability, with the rest of the same Towne to all Common Charges both Ci-

vill and Ecclesiasticall, shall be compelled thereunto by Assessment and Distress to be Levied by the Constable as in other cases, and that the Lands and Estates of all Men wherever they Dwell shall be Rated for all Towne Charges, both Civill and Ecclesiasticall (as aforesaid) where the Lands and Estates, shall Lye, and theire Person where they Dwell.

That the high Sheriff, for the time being shall from yeare to yeare after the first day of June 1665 send forth his warrants to the Constable of every Towne; within this Jurisdiction, requiring the Constable to call together the Overseers of the Towne, who shall within four Months after the said first day of June, make a List of all the Male Persons in the same Town, from Sixteen years old and upwards, and a true Estimation of all personall and Reall Estates, being, or reputed to bee, the estates of all and Every Persons in the same Towne or otherwise under their Custody or Management according to Just valuation, and to what Persons the same belong whether in their owne Towne, or other where, so near as they Can by all Lawfull meanes or wages, which they may use (viz) of warre Houses, Lands of all sorts as well unbrokenup as others Except such as Doth or shall Lye Common for free feed of Cattle to the use of the Inhabitants in Generall whether belonging to Townes in General or perticuler Persons, but not to be kept or hearded upon to the Damage of the Proprietors, Mills, Shipps, and all small vessels, Merchantable Goods, Cranes, wharfs and all sorts of Cattle, and all other known Estate whatsoever, as also all visible Estate either at Sea, or on Shoar, all which Persons and Estates are by the said Constable and Overseers to be Assessed and Rated as here followeth (viz) Every Person aforesaid, Except such as by Law are Excepted eighteen pounds, and for a more Certaine Rule in rating of Cattle, Every Cow of four years old and upward shall be vallewed at five pounds, Every

Heyfer and Steere between three and four years old, at four pounds and between two and three, at fifty Shillings, and between one and two years old thirty Shillings, Every Oxe and Bull of four years old at six pounds, Every Horse and Mare of four years old and upward at twelve pounds, of three years old Eight pounds, between two and three years old five pounds of one year old three pounds, Every Sheep of one year old Six Shillings eight pence Every Goat above one year old Eight Shillings, Every Swine above one year old twenty Shillings; And all Cattle of all sorts under a year old are hereby Exempted as also all Hay and Corne in the Husbandmans hands, because all Meadow, Arable Ground, and Cattle are Rateable as aforesaid, That such persons as are disinabled by Sickness Lameness or other infirmities, shall be exempted and for such Children, and Servants as take not wages, their Parents and Masters shall pay for them but such as take wages shall pay for themselves.

That the Constable of each Towne do bring into the high Sheriffe fairly writen the just Numbers of all Males Listed as aforesaid, the Assessements of Estates, made in their Severall Townes, according to the Rules and directions expresed and that the said high Sheriffe shall duly and carefully Examine all the said Lists and Assesments of the Severall Townes and shall Correct and perfect the same according to the true intent hereof, and the same so perfected to Transmitt under his hand, before the Expiration of his Office, to the Governour.

That every one shall pay their Rate to the Constable of the Towne where he shall be Assessed, nor shall any land or estate be Rated in any other Towne, but where the same shall lye, is or was improved to the owners; reputed owners or other propriators, use or behoof, if it be within this Goverment, and for all peculiers (viz) such Places as are not yet layd within

the Bounds of any Towne, The said person with the Lands with the Persons and Estates thereupon shall bee Assessed by the Rates of the Towne next unto it; the measure or Estimation shall be By the Distance of the Meeting House.

And if any of the Constables and Overseers or high Sheriffe shall willingly Neglect or faile to performe the Trust Commited to them in not making Correcting perfecting or Transmiting the said Lists or Assesments according to the true Intent of this Law Every Such Offender shall be fined forty Shillings for every such Offence or so much as the Country shall be damnified thereby, so as it Exceed not forty Shillings for one offence Provided that such Offence be Complained of and prosecuted in due Course of Law, within Six Moneths That upon all distress to be taken for any of the Rates or Assessments aforesaid the Constable shall distraine Goods or Cattles if they may be had and if no Goods, then Lands or Houses If neither Goods nor Lands can be had within the Towne where such distress are to be taken, Then upon such returnes to the High Sheriffe he shall give warrant to Attach the Body of such person to be carried to prison there to be kept till the next Court of Sessions Except they put in Security for their Appearance there or that payment be made in the mean time.

That the Prices of all sorts of Corne to be Received upon any Rates shall be such as is already appointed and that all Towne Rates shall be made after the same manner and by the same rule as the Country rate, That if any Constable shall not have gathered his Rates or Levies Commited to his charge by the high Sheriffe then being, dureing the time of his Office, That he shall notwithstanding the expiration of his Office have power to Levy by distress all such Rates and Levies, And if he bring them not into the former high Sheriffe according to his warrant The

said High Sheriffe shall distraine the said Constables Goods for the same, And if the high Sherriffe shall not so distraine the Constable hee shall be Answerable for the same.

And if the Constable be not able to make payment it shall be lawfull for the High Sherriffe old or New respectively to distraine any man or men of that towne where the Constable were unable, for all Arrearages of Levies and that man or men upon Petition to the Court of Assizes, shall have Order to Collect the same againe equally of the Towne, with just damage for the same.

That the Constable shall appoint a day and place and give reasonable warning to the Inhabitants to bring in their proportions upon which every man so warned, shall duely attend to bring in his Rate, or upon neglect thereof shall forfeit two pence in the Shilling for what he falls short, and the said Constable shall have Authority hereby to distress the delinquents, or be accomptable themselves for the Rates and penalties so neglected by them.

That all the plantations within this Goverment after the publication hereof, shall be fully Comprehended in this Law.

Records.

All Records of Bargaines and Sale, or any other Conveyances Administrations or Probates of will within the North and West Riding, shall be Transmited to the Office at New Yorke, with the fees Ordained for the Records, within one Month after the Record shall be made in the Courts, If in the East Riding within two Moneths.

Saylers.

To prevent many miscarriages which are frequently commited by Saylers, by their immoderate Drinking and other vaine expences in Ordinaryes, whereby the

Master and Owners of the vessels to which they belong may be prejudised, by Arresting and detaining such Saylors for Debts when their Shipp are ready to sett Sayle, No Victuallers, Innkeepers, or other Sellers of Wine Beare or other Strong Liquors shall after the first day of March 1664, Arrest, Attach or recover by Law any Debt or Debts to bee made by any Sayler or Saylers in Pay and whose dwellings are not within this Jurisdiction Except the Master or Owner of such Shipp or Vessell to whom such Saylers belong, have given under his hand to Discharge the same.

Sherriffe.

The high Sherriffe shall have power to issue forth any writte or warrant according to the Nature of the plaint:

That the High Sherriffe may if he please or see cause for it preside as Chieffe in any of the meetings of that Towne where hee dwells.

That the High Sherriffe shall have the nomination of the Marshall in each Riding, and is to take Security from them.

Each Riding shall have their Turne in haveing a Sherriffe Chosen within their Jurisdiction Successively And the Justice in the last Sessions before the Expiration of the Office of the then Sherriffe, shall present to the Governour in writing; the names of three persons within their Jurisdiction, out of which the Governour may make Choice of one to be Sherriffe for the Yeare ensuing.

Townships.

Whereas in perticuler Townes many things do arise, which concerne onely themselves, and the well Ordering their Affairs, as the disposing, Planting, Building and the like, of their owne Lands and woods, granting of Lotts, Election of Officers, As-

sessing of Rates with many other matters of a prudentiall Nature, tending to the Peace and good Goverment of the Respective Townes the Constable by and with the Consent of five at least of the Overseers for the time being, have power to Ordaine such or so many peculier Constitutions as are Necessary to the welfare and Improvement of their Towne; Provided they bee not of a Crimminall Nature, And that the Penaltyes Exceed not twenty Shillings for one Offence, and that they be not Repugnant to the publique Lawes; And if any Inhabitant shall neglect or refuse to observe them The Constable and Overseers shall have power to Levie such fines by distress.

If any man shall behave himselfe offensively at the Towne meeting towards and before the Constable and Overseers they shall have power to Sentence him for such offences, the penalty not exceeding twenty Shillings, Provided alwayes that every such peculier Constitution be confirmed by the Court of Sessions, within four Months after the making thereof, Otherwise to bee voide and of none effect.

Whereas it is formerly Exprest, That small Causes shall be Arbitrated in Townes; It is to bee understood That the Constable and Overseers in theire Towne Court are first to take Cognizance, if under the value, and then to proceed either to Judgement, if the Case bee Cleare, or propose Arbitration, if above the value.

Votes.

All votes in the private affaires of Particular Townes shall be given and Determined by the Inhabitants freeholders, Householders, and in matters Commited to Arbitration, or att Sessions, either as to Juryes in all Cases or to Justices on the Bench, where the Law is not Cleare shall bee Carried by the Major part of the Suffrages, The minor to be concluded by the vote of the Major.

Weights and Measures.

That the high Constable in each Riding shall provide at the Publique charge Severall Standards of weight and Measures, which shall be sealed with a Common seale appointed for that purpose, that they may be uniform and Certaine (viz) for weights a Sett of Brasse weights to four pounds with the less weights included according to the Averdupois pound, consisting of Sixteene Ounces, with a good Beam fitt to weigh and try them for Corne measures That there be one Bushel one Peck, and one halfe Peck to be fitted to winchester Measure in England; and Measures for Liquids as the Ale quart Wine quart, wine Pint, and halfe Pinte, And that there be one Ell, and one yard, that all and each may be according to the General Custome of England; And in Goods sould by the Hundreds weight five score and twelve to bee allowed Except in Nayles sould by the hundred to which Six Score is to be allowed to the hundred, And in goods sould by the Elle and yeard one Thumbs breadth be allowed to the Length of the Elle and yeard, And the high Constable is to Take Cognizance, that the Constable and Overseers of every respective Towne do also provide at their Townes Charge the like weights and Measures Suitable to the Standard and the Constable and Overseers shall Choose some fitt man in each Towne to be Sealer of such weights and measures; which man so Chosen, they shall present to the next Court of Sessions And their to be Sworne to the faithfull discharge of his duty And hee shall have power to send forth his warrants by the Constable to all the Inhabitants of their Towne, to bring in all such weights and measures as they make use of, once every year at such time and place as he shall appoint and then to fitt them to the standard aforementioned, and marke them with the Town mark And the Sealer shall have for every

weight and measure from the owners thereof two pence at the first Sealing, and for viewing and reseal-ing them yearly after one penny. And all such weights and Measures as cannot bee brought to their just standard he shall deface or destroy them ; And if any high Constable, Overseers or Sealer shall Neglect his or their Duty and trust he or they shall pay as a fine to the Town forty Shillings, And every person that after due notice given shall Neglect to bring in his weights and Measures, he shall pay three Shillings four pence for every such default, the one half to the Sealer the other to the Towne, And if at any time any Person within this Goverment shall buy or sell by any false or unallowed weight or Measure to the Damage of his neighbours, he shall forfeit (besides Correction) Treble the value to the Towne.

Witnesses.

No man or woman shall be put to Death, with-out the Testimony of two or more witnesses, the Con-fession of the Party, or other Equivalent Circum-stances.

In all Causes (whether Civill or Criminall but not Capitall) property falling under the Cognizance of a Constable and Overseer, it shall bee lawfull for the Constable to require and take the Oath of any witness above the age of fourteen years and of Sound under-standing and make a record thereof, that if any Court of Assizes or Sessions, shall at any time make a re-view of such Cause, the evidence Also may Ap-peare.

Every Witness, in any Action may requireas d ue to him from the Party at whose Suite hee appears two Shillings for every Days attendance, but unless a wit-ness bee Served with a Subpena to give in Testimo-ny, it is in his Choice to appear or not but after a Subpena Served, he shall have onely eighteen pence per Diem.

It is always to be understood That the Party Delinquent or Cast, whether in Civill or Criminall Cases, shall pay all Charges of what kind soever which arise from the prosecution of the Suit.

Wolves.

If any Person either Christian or Indian, shall at any time bring the head of a Wolfe or Wolves to any Constable upon Long Island, the said Constable is required to Call two of the Overseers to him and then and their to pay and Satisfie such person or Persons to the value of an Indian Coat; to be allowed out of the publique Charge in the Towne Rate Provided alwayes that the Constable and Overseers shall require the Oath of such Christians, that bring the head of a wolfe or wolves, that he killed the said wolfe or wolves, with the time and Circumstances and upon Long Island only, Provided also that the Constable and Overseers have due regard to such wolfe or wolves brought by the Indians, that they appear to be fresh and newly killed, with Circumstances that they are killed upon Long Island and not else where; The Constable and Overseers are to cause the heads to be nayled over the doore of the Constable their to remain, as also to Cut of both the Eares in token that the head is bought and paid for.

Wrecks of the Sea.

If any shipp or vessel belonging either to friend or Enemy shall at any time Suffer Shippwreck upon any of the Coasts of Goverment There shall no violence or wrong be offered or done to their Persons, or Goods; but their Persons shall bee harboured and relieved, their Goods preserved from spoile and Embezlement, And all Justices of the Peace, Mayers Sherriffes, high Constables, Petty Constables, and Overseers, are Strictly Charged and required to be

vigilent therein and upon notice of any such ill accident within their precints, to repaire to the place and give good Order therein, for the reliefe of the persons and Security of the Goods, untill notice thereof be given to the Governour and Council who will proceed therein According to the law of England and Cause full Satisfaction to be given to such as have Employed their time and Labour to the preservation of the persons and Goods.

The goods of friends are by Warrant from the Governour and Councill to be restored to the Ownes, if any Canne be found or knowne.

Also any whale or such like great fish cast upon the Shoare of any precinct, shall be taken into the Care of any of the Officers above mentioned to bee kept, or improved where it cannot be kept, and by such Officers onely, untill the Governour and Councill (after notice sent) shall give further Order therein.

And the Acknowledgement which shall be received for Whales, or such Like great fishe Cast upon the shoare of any precincts shall be the fifteenth Gallon of Oil.

Warrants.—Speciall Warrants and Speciall Licences.

All writings warranted or Licenced under the Governour his hand and Seale, shall be Esteemed and Observed as Speciall Warrants, Licences to all Intents and purposes.

Oathes.

Whereas you are Chosen and appointed by the Governour and Council, Established under his Royall Highness the Duke of Yorke to be a Justice of the Peace over the Jurisdiction of the W, N, E, Riding of yorkshire upon Long Island, You do Sweare by the Ever living God, that you will truly Endeavour, to the best of your Skill, with a good Con-

science and according to the Lawes of this Goverment, Dispence Justice Equally and Impartially in all Cases and to all persons whereunto by virtue of your Office you are impowered. So help you God.

Whereas you are Chosen and appointed by the Governour and Council, Established under his Royall Highness the Duke of Yorke to be High Sherriffe for this present year, 1666 Over Yorkeshire you do Swear by the Everliving God, that you will discharge the Trust reposed in you, with a good Conscience and diligence and without partiality to Persons, you will by your Selfe or your Sufficient Deputy Issue forth all such writts, Serve Attachments, Executions, Judgments as properlly belong to your Office, and punctually observe all warrants to you directed from any Court or Superior Authority of this Goverment, you will from time to time Call the high Constable of each Riding to an Accompt for all fines, Levies, Assesments and all other publique Moneys in their hands, and returne the names of such as fail in their Duty to the Governour and Council using your best Endeavour for the Collecting and bringing the said Sumes to the Governour and Council at New York, you will also render yearly a true Accompt and make good payment thereof, And will in all things behave yourselfe according to the quality of your Office, and the trust reposed in you So help you God.

Whereas you are Nominated and Confirmed by the Governour & Council under his Royal Highness the Duke of York, in the Office of high Constable within the Jurisdiction of N, W, E, Riding of Yorkeshire upon Long Island you do Swear by the Ever living God, That you will discharge the trust reposed in you, with a good Conscience and diligence in all things whereunto you are empowered by Law; you will fully execute and performe all manner of writts Summons warrants, or the like, which shall

be to you directed from the Governour and Council, the Justices of the Peace within this Riding or the high Sheriffe of Yorkshire, you will diligently and truly take the accompts from each petty Constable and them deliver to the high Sheriffe with the name of the Constable or Constables as Shall fail in their Office in not Collecting and bringing to you such sum or sums as are due to the publique, within their Respective Townes So help you God.

Whereas you are Chosen in your Towne, and Confirmed by the Justices of the peace of the East Riding to be Constable of East Hampton Towne for one year, and untill another bee Sworn in your place, you do Swear by the Everliving God That you will carefully endeavour the preserving of the peace and the discovery and prevention of all Attempts against the same you will duly Execute all Speciall warrants which shall be sent unto you from the Governour and Council Established under his Royall highness the Duke of York and faithfully Execute all such warrants and Orders of what nature soever from the Courts Established by Law with your utmost care and diligence Impartially you will faithfully and With what speed you Can Levy all such fines Rates and Sumes of Money, due to the publique, in such moneys or Goods valuable for which you shall have Sufficient warrant; rendering accompt thereof and the defaults to the high Constables and with like faithfullness, speed and Diligence will serve all Attachments Executions distresses in private Causes, Betwixt party and party according to the Sentence of Court, and make returns thereof duely where they are returnable into the same Court, And further you will frequently, Advise and Counsel with, and when any difference ariseth within your Towne and limits by small Actions or otherwise as is by law appointed, you will Assemble a convenient Number of the Overseers of the Towne and Limits to sitt as a Towne

Court, for the Hearing, determining or Composing all matters pertaining to your Cognizance. And in all things behave yourselfe, as becomes the Office of a Constable and your duty to the Lawes of this Goverment, So help you God.

Whereas you are Chosen and appointed an Overseer in the Towne of Southampton you do Sweare by the Everliving God that, that you will faithfully and diligently discharge the trust reposed in you, in Relation to the publique and Towne affaires, according to present Lawes Established, without favour affection or partiallity to any Person or Cause which shall fall under your Cognizance as an Overseer, And at time, when you shall bee required by your Superiours to Attend the private differences of Neighbours, you will Endeavour to reconcile them, And in all Causes Conscientiously and according to the best of your Judgment deliver your voyce in the Towne meetings of Constable and Overseers So help you God.

You do Sweare by the everliving God; That you will Conscientiously deliver your Verdict in the Cause, between A, B, and C, D, in this Court; According to the Evidence given you, and the Lawes of this Goverment So help you God.

You do Sweare by the Everliving God; That you will Conscientiously try and truly deliver your verdict Between our Soveraigne Lord the King, and the Prisoner att the Barre According to your Evidence, and the Lawes of this Goverment, So help you God.

You do sweare by the Everlasting God, that the evidence you shall give into this Court, Concerning the Cause or Person now in question, shall be the truth, the whole truth, and nothing but the truth; So help me God,

Whereas you are Chosen Apprizer of such Goods Lands Houses or Cattles which are now under your

Consideration you do here Sweare by the Everliving God, That all partiality, prejudice, or any Sinister respects laid aside; you will Apprize the same, and every part thereof according to the true value thereof at the prise now Currant according to your best Judgment and Conscience So help you God.

Whereas you are Chosen and appointed Marshall for this Jurisdiction; you do Sweare by the Everliving God to be true and faithfull in your Office, not to suffer wittingly or willingly any Prisoner commited to your Charge to Escape, nor to sett any Prisoner at Liberty without a Legall warrant for his deliverance, as also that you will not exact Extravagant prices, but conform your Selfe to the Rates allowed for the Lodging and dyat of Prisoners without fraud or Corruption So help you God.

Whereas you are Chosen and appointed viewer of pipe staves, within the Towne of ——— you do Sweare by the Everliving God, that at all convenient times whilest you shall be in place, or shall be required to Execute your Office, you will duely and diligently attend the same and without favour Affection or Corruption Sort all Pipe Staves presented to you rejecting such as are not Merchantable, and make a true entry thereof according to Law, So help you God.

You do Sweare by the name of the Everlasting God that in the office of a Surveyor, you will according to the best of your skill and abilitys, diligently and faithfully discharge the trust Commited to you, without fraud or Corruption So help you God.

You do Sweare by the name of the Everliving God That in the Office of a publique Notary, you shall demeane your Selfe diligently and faithfully, according to the duty of your Office, And in all writings, Instruments and Articles that you are to give Testamony unto, when you shall bee required; you shall performe the same truly and sincerely according

to the nature thereof without delay or Covin, And you shall Enter and keep a true Regester of all such things as belong to your Office So help you God.

Whereas you A, B, are Chosen Packer of Beefe, Porke and other things, for the Towne of —— you do hereby Sweare by the name of the Everliving God, that you will well and truely Pack all Beefe, Porke and other things when you shall be thereunto required, you shall Pack no kinde of Goods but such as are good and Sound nor any Goods in any Caske, that is not of a Just and full Gage; you shall also sett your particular marke upon all Caske Packed by you; And in all things proper to the place of a packer you shall faithfully discharge the same from time to time, according to your best Judgment and Conscience, So help you God.

You being Admitted of the Council of the Governour under his Royall Highness the Duke of Yorke within these Territoryes Comprehended in his Majesties Letters Patents, do Sweare that you will to the best of your Judgment, and at all times freely give your advice the Governour for the good Management of the Publique Affairs of this Government, and that you will not Reveale directly nor Indirectly such matters as shall be debated in Councell, or committed to your Secrecy but will in all things be a true and faithful Councellour when you are thereunto required, So help you God.

Precedents and Formes.

To A B, of C, Carpenter you are required to appeare at the next Court holden at D, on the Day of the Moneth of —— next ensuing, to answer the Complaint of E : F : for withholding a debt of —— Due upon a Bond or Bill, or for two Hoifers and Sould unto you by him, or for worke, or for a Trespasse done him in his Corne or Hay, by your Cattle or for a Slander you have done him in his Name or for stri-

king him or the like, and hereof you are not to fail at your perill; Dated the day of —— the Moneth, and the year of our Lord.

To the Justices, high Sheriffe, under Sheriffe high Constable, Constable of C, or their Deputyes you are required to attach the Body and Goods of G. H, and to take Bond of him to the value of with Sufficient Surety or Suretyes for his appearance at the next Court holden at S, on the day of the Month of Then and there to Answer the Complaint of T M, &c. as before and to make a true Returne thereof under your hand Dated the Day &c.

Know all Men by these presents that we A B, of C yeoman, and O P, of the same Carpenters do bind ourselves, our heires and Executors to R F, high Sheriffe or M O, Constable of C: aforesaid &c. in pounds upon Condition that the said A B, shall Personally Appeare at the Next Court of S to Answer L M in an Action of and to abide the Order of the Court therein, And not to depart without Lycence.

The Justice, high Sheriffe, under Sheriffe high Constable Constable of or their Deputyes you are hereby required to Replevin three Heifers of T P, now distreined or Impounded by A B, and to deliver them to the said T P, Provided he give Bond to the value of with Sufficient Surety or Sureties, to Prosecute his Replevin at the next Court holden at B, And so from Court to Court, till the Cause bee ended and to pay such Cost and Damages, as the said A B. shall recover by Law against him, and So make a true returne thereof under your hand Dated; &c.

The Markes for Horses of Every Towne upon Long Island.

A	East hampton	K	West Chester
B	Southampton	L	New Towne
C	Southhold	M	Bushwick
D	Seatalcott	N	Brookland
E	Huntington	O	Flat Bush
F	Oyster Bay	P	Flat Land
G	Hempsteed	Q	Vtricht
H	Jamaica	R	Gravesend
I	Flushing		

FINIS

HAVING received Information that at ye late Sessions held in the Severall Ridings of Yorkshire upon Long Island divers inconveniences were found in some particular Lawes and other things needful to be incerted therein have beene omitted; I have thought fitt to Send unto you these following Amendments and additions which you may Communicate for the present to the Severall Towns within your riding and at the Assizes they may receive further Confirmation or alteration as shall be found most Expedient.

I do recommend unto you that to prevent the trouble of to frequent holding of towne Courts, a Court may be held in each respective Towne at some Convenient certain tyme either once in two three or four weekes as you shall Judge most fitt; And if any one shall desire to Call a Court any other tyme that he pay for the trouble and Charges thereof as it shall be reasonably adjudged by the Court.

That henceforth the payment of Jurymen and witnesses who shall attend the Court of Sessions or Assizes be from the tyme of their going from home to their returne, That a witness shall be allowed 2*s*. per diem where he gave in his evidence voluntaryly or being served by subpena. That the general trayninge appointed for the townes of the East riding (In regard of their distance) be respited till further order.

That the Towne of Huntington and Oyster bay (though of several ridings) may joyne in Compleating their Company of foote but the Captain and Lieutenant are not both to be of the same Towne.

That in regard of the distance of the Jnhabitants of North Sea from the towne of Southampton (to which it doth belong) there be a deputy Constable appoynted with power to keep his Majesties peace and to execute such warrants and orders as hee shall receive from his Superiors.

That In regard the Condition of distracted persons may prove of publique Concerne, and for that it is to greate a burthen for one Towne allone to beare, It may bee taken into Consideration at the Assizes whether the other townes of that riding ought not to Contribute to the Charge, and as Care may then be taken therein for the future so some way of Satisfaction may be thought on for extraordinary trouble past; upon the like account.

That no fine ought to be imposed or levied on a persons Estate who is not in his sences, And whereas a fine hath binn levied upon one of the Inhabitants of East Hampton who is in a distracted Condition which fine was formerly ordered by Mr. Winthrope to be returned, The Justices or the officers of the Towne are to take Care the said order be performed.

That the Constable of each Towne During his office may furnish the Jndians with such quantity of powder as may be thought necessary for their killing of wolves and provisions And also may permit them to have theire gunnes mended the said Constable giving an account of what is so furnished and permited by him to the Indians at the next Sessions.

That the peculier Lawes and Constitutions of sundry townes within your Riding which are now allowed to be of force amongst them (as well such as were made before the publique Lawes were declared as since) be brought in at the next Assizes there to receive Confirmacon or alteracon or amendment.

That for the greater ease of the Constables of the East Riding in the execution of their Office (their Townes lieinge so remote one from another) the said Constables may be excused of their attendance at the Sessions, Provided one of the Overseers from each Towne who shall be nominated of the Jury do give attendance in his place with the Staffe of the Constable.

That wheras it is ordered in the Laws that noe man shall sell a less quantity of Liquors then a Quarter Cask without a Licence &c: It is to be understood that noe man is hereby hindered for buying for his owne private use any quantity of Liquors provided he do not sell by retaile without a Licence.

That whosoever (being duly elected) shall refuse to serve as an Overseer shall pay the same fine as is appointed for a Constable refusing to serve in his office.

That Whosoever shall be nominated to serve in a Jury without Just Cause showen shall refuse it he shall forfeit twenty shillings towards the defraying publique Charge which is to be Levied by the Constable.

That if any person within this Goverment shall commit burglary by breaking up any dwelling house or shall robb any person in the field or hie wayes the person offendinge shall for the first offence be branded on the forehead for the Second offence he shall be branded as before and Severely whiped and for the third offence he shall be put to Death.

If any person shall robbe any orchard or Garden or shall steal away any linnen woollen or other goods left without dores he shall pay treable Damages or be whiped.

If any one shall steal from another any Coyne, goods, or Cattles to the value of ten shillings or upwards he shall be whiped or pay such a fine as the Court shall Judge to sattisfie all Damages with Costs and Charges of Court, and it Is also left to the Discression of the Court to appoint smaller matters or punishments for smaller offences of that kind.

That the Constable by warrant from a Justice of the peace may make search in any house or place suspected both for the offender and the goods stolen, and whosoever having his goods stolen shall privately receive them and shall not legally

prosecute the offender he shall forfeit to the publique use the goods received or the value.

RICHARD NICOLLS.

To the Justices of the peace High Sheriffe and all other officers both military and Civill in the East Riding of Yorkshire on Long Island.

SOME Alterations Amendments and Additions made in the Lawes and confirmed att the Generall Assizes held in New Yorke the 28th and 29th Dayes of September and the 2nd, 3rd and 4th Dayes of October 1665.

If any Justice of the peace or high Constable shall be absent from the Sessions held within that Rideinge where hee Inhabitts, or from the Generall Court of Assizes, he shall pay for every Dayes absence, tenn pounds, And every Petty Constable for each Default shall pay five pounds, unless one of the Overseers who shall be nominated of the Jury Doe give attendance on the Court in his place, with the Constables staffe Provided after that it shall be Lawfull for the Justices of the Bench to discharge any Constable from his appearance, if they think fitt.

In all Accons of what nature soever not exceedinge the value of five Pounds between Neighbours, Arbitration of two indifferent Persons of the Neighbourhood shall be tendred, which persons are to bee nominated by the Constable of the place before it be brought to a Towne Court and if either or both parties shall refuse (upon any pretence) to stand to Arbitration Then the Court shall Determine the Case If above the value then the next Justice of the Peace upon the Complaint of the party shall propound Arbitration to both Parties and if they accept thereof the Justice is to nominate the Arbitrators But if either Party refuse, Then the Justice is to give fourth his warrant as the Action requires.

In all differences under five pounds not tryable in Sessions the Constable is to have one shilling for nameinge Arbitrators to whom if the difference be referred, they shall have two Shillings and Sixpence

each, If the Action is brought to the Justice, he shall have two Shillings Six pence for nomination, And the Arbitrators hee appoints two Shillings Six pence each.

That to prevent the trouble of two frequent houldinge of towne Courts a Court may be held in each respective Towne at some Convenient certaine tyme either once in two, three, or four weeks as shall bee adjudged most meete, And if any shall desire to Call a Court any other time that hee pay the Charge and trouble thereof, as it shall be reasonably adjudged by the Court.

In Towne Courts the Constable and Overseers are to give their judgment by the Major Vote, where six with the Constable, or Seaven in his absence, are Competent and equivolent to a Jury, and the Constable upon equall Division, is to have a Casting voyce.

The fees belonginge to the Towne Courts shall be halfe of what is allowed at the Sessions, as the fees of the Court of Sessions are halfe of the fees of the Assizes.

Titles of Land as well as other accons are to be tryed in Sessions unlesse being above the value of 20*l.* they shall bee Ordered to bee tryed at the Assize by the Governour's Speciall warrant.

Accon of Debt &c. above the value of 20*l.* may likewise bee tryed at the Assizes by Speciall Warrant from the Governour.

Those that live att great distante from Courts, are to have the heads of the plts: Declaration, left at the Place of their Abode as well as the Summons before the tryall, eight dayes.

Where the Originall Point is matter of equity the proceedeings shall bee by way of Bill and delivering in Answers upon Oath and by the Examination of witnesses, in like manner as is used in the Court of Chancery in England, And due regard must be had

that the Defendant have timely notice thereof, as is appointed at Common Law; which is eight dayes warning before the Court shall sitt.

That all Originall Wills after haveing beene prooved att the Court of Assizes or Sessions and returned into the Office of Records att New-Yorke shall remaine there, and the Executors Administrators shall receive a Coppie thereof, with a Certificate of its being allowed and attested under the Seale of the Office.

Administration may be granted by the Court to any Person, the Second Sessions, but to widow or Child, Brother or Sister immediately.

A (Quietus) is to be procured within a yeare and six weeks after Administration is granted or a will prooved.

All Reasons of Appeale as well as Declarations are to be delivered into the Clarke of the Assizes or Sessions, eight Dayes before the Court sitts.

The Security to be given for prosecuteinge of appeales, shall be taken by the Court the party appeales from, and for the prosecution of any other suit at the Assizes Security shall be given to the Clarke of the Assizes.

All appeals are to bee made by way of Petition to the Governour and Council, and the Appeallant shall pay tenn shillings upon the deliverie of his Petition, over and above two Shillings Six pence to the Clarke of the Assizes, for Entering of the Appeale.

These words (a Justice of the Peace) are to bee Added in the beginninge of this clause (vizt) Jt shall be lawfull for the plaintiffe or Defendant to take out a Subpena from a Justice of the Peace, the Sherriffe or under Sherriffe.

That Whereas it is said in the second Clause the Sheriff shall remove the Goods, out of the possession of the Plaintiffe &c. It is to be altered and written out of the possession of the Defendant.

And whereas it is therein also said the Execution is to bee returned by the Sheriff to the Clarke of the Sessions that Granted it, in stead of Granted it its to bee, that Signed it by order of the Court.

That the Persons who shall be nominated and Chosen Apprisores of Goods lands or whatsoever else, shall be taken in execution are to bee allowed fouer Pence per pound, for what shall be by them soe apprised which is to bee payed by the party Cast in the suit and risen Accordingly.

The latter end of the 4th Clause is to conclude thus (vizt) In which case also hee shall not be Arrested, but by speciall warrant.

Noe High Sheriffe or Justice of the peace may at any tyme grant a speciall warrant But dureing the tyme of the sittinge of the Court of Sessions the whole Bench may grant it.

Provided that the previledges belonginge to the Corporation of the Citty of New York, bee not hereby infringed, But that it shall and may be Lawfull for any of the Inhabitants thereof to Arrest a Debtor in the said Citty, though the place of his abode shall happen to bee in any other Towne within this Goverment and the person so arrested, to sue and Impleade in the Citty Court, any Law to the Contrary in anywise notwithstanding.

In Asessments add the words in the Parenthesis, in the first clause (vizt) And every Inhabitant who shall not contribute (to all Charges both Civill and Ecclesiasticall) Proportionably to the Rate so Assessed &c.

In the first Clause, its to bee written the Generall Court of Assizes &c.

A Court of Assizes may also bee Called at any tyme (by speciall warrant) to heere and Determine Civill Causes (that require a speedy dispatch) as well as Criminall.

No other Processe shall Issue forth for tryall of

Accons at the Assizes, But the Governoures speciall warrant, Except in Cases of Appeale.

To Bayle one not Bayleable is a negligent escape in the Justice, or in any other authorized to take Bayle.

To be added, (or on some other paper or parchment annexed to it.)

All Lands Pattents and Bounds and limits of Townes are to bee Recorded in the Office of Records at New Yorke as well as in each Particular Towne, and at the Sessions.

That if any Person within this Goverment shall commit Burglary by Breakeing upp any Dwellinge House, or shall Robb any Person in the field or highwayes, the Person so offending shall for the first offence, bee branded on the forehead, for the second, hee shall be branded as before, and severely whipt, and for the third offence hee shall bee putt to Death.

If any Person shall Robb any Orchard or garden, or shall steale away any Linnen wollen or other Goods left without Doores or shall wilfully deface or spoyle any Dwelling House, or out House or any part thereof, or any thing belonging thereunto, he shall Pay treble Damages or bee whipt.

If any Person shall take from an other, any Corne, Goods, or Cattles to the value of tenn shillings or upwards, he shall be whipt, or pay such a fine as the Court shall adjudge, to satisfy the Damage, with the Costs and Charges of Court, And it is also left to the Discretion of the Court to appoynt smaller Mulcts or Punishments for smaller offences of that kinde.

That the Constable by warrant from a Justice of the Peace, or upon sudden occasion without warrant (haveing with him the staffe of His office,) may make search in any House or place suspected both for the offender, and for the goods stolen, And whosoever haveing his Goods stolne, shall privately receive them and shall not legally prosecute the offender he shall for-

feite to the Publique use the Goods so received or the value.

In Cases of Adultery all proceedinges shall bee accordinge to the Lawes of England which is by Divorce (if surd) Corporall punishment or fine and Imprisonment.

All those who shall have their Cattle markt, with the Towne marke, shall pay to the Officer that markt them, two pence per head.

That it shall be left to the peculier Lawes of Towneshipps to allow what more they shall thinke fitt, to give for the Impounding of Cattle, than herein is exprest.

The Charge of each Cause bee as followeth (vizt) Every Cause of or under five Pounds shall pay two shillings six Pence, from five Pounds and under tenn Pounds, five Shillings, from tenn Pounds, and under twenty Pounds, fifteen Shillings, from twenty Pounds and under forty Pounds twenty Shillings, And for every tenn pounds more above forty Pounds two Shillings Sixpence; That money so Levied is to go towards the defraying of Court Charges.

That such Churches shall be built within three years, after this assizes, to which end a Towne Rate may bee made to begin this yeare.

That the Office of the Churchwardens aforementioned is to be performed by the Constable & all the Overseers who are to take the like care as is required of the Churchwardens.

That the Second Clause in Charges Publique bee left out of the Booke.

In the third Clause, warrants are to bee Issued by the High Sherriffe to the High Constable of each Riding who shall send warrants to the Constables &c.

In the 5th. 7th. 8th and 9th Clauses the High Constables name is also to bee incerted to act between the high Sheriff and the Constables.

The Constable of each Towne dureing his Office

may furnish the Indians with such quantity of Powder and shott as may be thought necessary for their killing of woolves and provisions, And also may permitt them to have theire Gunns mended; the said Constable to give an accompt of what is so furnished and permited, by him to the Indians at every Sessions.

That in regard of the distance of the Inhabitants of Northsea, from the Towne of Southampton (to which it doth belong) there be a Deputy Constable appoynted with power to keepe his Majesties peace, and to execute such warrants & orders as hee shall receive from his Superiours.

That whosoever (being duly elected) shall refuse to serve in the office of a Constable, hee shall forfeite for his refusall, the summe of five pounds, towards the defrayinge of Towne Charges.

Memorandum, that noe warrants are to bee Issued by the Clarke of any Court, but in the name of the Court.

That in regard the Conditions of distracted Persons, may bee both very chargeable and troublesome and so will prove too great a Burthen for one Towne alone to beare, each Towne in the Rideing where such person or persons shall happen to bee, are to Contribute towards the Charge which may arise upon such occasions.

The Justices fees for nominatinge Arbitrator is to be altered from 7*s*. to 2*s*. 6*d*.

Court fees, are either to bee payed to the High Sherreife, or the Clarke of the Assize, or Sessions who are to bee accomptable for them.

All Court fees are to bee levyed by distress or put into the execution with the Debt and so risen.

The Clarke of the Sessions shall have for the entry of each accon for tryall two Shillings sixpence, whereas as it was before but one Shilling.

The Sherreifes fees in Appeales shall bee the same as in other Accons.

The proviso for liberty of transportation of Mares shall continue three years longer then the tyme formerly allotted, And (if found convenient) at the expiracon thereof may bee continued for a longer tyme.

That Inn keepers or Ordinary keepers, shall not bee obliged to put any perticuler quantity of Mault into their Beere, but they shall not sell theire Beere above two pence the quart, nor any Liquors above twelve Shillings the Gallon, under the penalty of twenty Shillings for each Gallon so Sold, Provided alwayes, and it is to be understoode, that noe man is hereby hindered from buying for his owne private use, any quantity of Liquors, And it shall and may bee Lawful for any Person, to sell such quantity to him, so that hee doe not sell it againe by retaile without a Licence.

That if any Complaint bee made to the Officers of a Towne, against selling of Liquors att two unreasonable, and extraordinarie rates, by Ordinary keepers, or others, they have power to give redress therein.

That the payment of Jurymen and witnesses, who shall attende the Court of Sessions or Assizes shall bee from the tyme of theire goeing from whom to their returne.

That whosoever shall bee nominated to serve in a Jury and without Just Cause showed shall refuse it, he shall forfeit twenty Shillings, towards the defrayinge of Publique Charges, which is to be levied by the Constable.

And the Court upon Occasion is to Judge of other Just exceptions against Jurors besides kindred.

The Justices of the Peace, High Sherreife or under sherreife may grant Replevine ex Officio.

Whereas it is said Justices may preside in Towne meetings it is to be written in Towne Courts.

Every Justice of the peace, shall have allowance of Twenty pounds per Annum to bee payed out of the publique Rates, towards the defrayinge of theire

Charges, over and above what may arrise out of the fines and Amerciaments not otherwise disposed of.

To the end all former Purchases &c: all persons whatsoever who have any grants or Patents of Townes-hipps, Lands or Houses, within this Goverment shall bring in the said Grants or Patents to the Governour and shall have them Revewed by Authority from his Royall Highness the Duke of Yorke, before the beginninge of the next Court of Assizes.

That every Purchaser &c. shall pay for every hundred Acres as an acknowledgement two Shillings and Six pence.

All Persons to bee accompted of fitt age to Marry, when the Man shall attaine to the age of twenty one, and the Women of Eighteene years.

Every Trooper listed in any Troope of Horse shall keepe and maintaine a good Horse for service when required fitted with Saddle, Bridle Holsters and Pistells, or a Carbine and a Good sword under the penalty of tenn Shillings for the least default, Neither shall any Trooper sell, or change his horse, and leave himselfe destitute, under the penalty of five pounds, And for non appearance upon Dayes of Muster and Exercise, tenn Shillings a day, Neither is it Lawfull for any listed Trooper to disband himselfe (But with leave from his Captaine) under the penalty of fifty Shillings.

Or by any Justice of the Peace of the same Rideing, out of Sessions, the Oath appoynted for Overseers being administered unto them.

That whosoever (being duly elected) shall refuse to serve as an Overseer shall pay the same fine, as is appoynted for a Constable refuseinge to serve in his Office.

That the Justices of the Peace of each Rideinge shall Cause a peece of Ground to bee layed out in the same Towne where the Sessions shall bee keept, whereon shall bee built a Towne House, and Prison

which are to bee erected before the next Assizes, for the defraying the charges whereof, a Rate is to be made throughout each Rideing at the next Sessions.

That Pounds and Stocks, shall be Provided in each Towne, by the next Sessions, Under the Penalty of forfeiting forty Shillings for each Towne.

That the High Sherreife from year to year is a Justice of the Peace by Virtue of his Office.

The last Clause of Towneshipps relating to accions beginning where it is formerly expresst &c, shall be left out.

In the Second Clause Towne Meeteing are to bee written Towne Courts.

Whereas it is said the Peculier Constitutions of Townes, are to bee Confirmed within fouer monthes &c. it is to bee written at the next Court of sessions.

Every Witness in any accon may require due to him from the party att whose suite hee appeares two Shillings per Diem for every Dayes attendance, whether hee give in his Evidence voluntarily, or being served by Subpena, but unlesse a witnesse bee Served with Subpœna its in his Choice, whether hee appeares or not.

Whereas Severall Explicacons and some Amendments in the Lawes are thought of present necessity to bee made for the good, and to the Satisfaccon of the Countrey, I have thought fitt to Communicate the Same underwritten unto you, and to Authorize you to Act therein, as by vertue of this my Speciall warrant, Untill such time as they may bee further Enacted and Confirmed at the next Generall Assizes, Given under my hand this 26th of February 1665.

RICHARD NICOLLS.

If the High Constable shall have no publick business at the Assizes or Sessions hee may bee Excused from his attendance by any Justice of the Peace of the Riding to which hee belongs under the hand of the said Justice to bee produced in the Court.

All Originall Debts or Trespasses must bee of the vallew of five pounds or not tryable in Sessions.

Matters of Equity under five pounds may bee Tryed in Towne Courts, and if under twenty at the Sessions.

No Arrest is to bee made upon the Person of any one attending the publique businesse at the Assizes whether hee bee Plaintiffe Defendant Witnesse Juror or any publick Officer.

The Purchases of Lands under the Value of thirty Pounds are not obliged to bee Recorded at New Yorke.

That whereas it is said in the Lawes, that implanted Lands shall pay 2*s*. 6*d*. for every Hundred Acres, as an acknowledgement to the Duke; Its to bee understood of Lands not formerly Planted.

That the Payments for Publick Rates in all Sorts of graine to bee according to the Price at the time and Place where it is payable.

Constables are to have a Competent allowance for the time they Spend in Searching and enquiring after the Estate of the Dead, to bee made by the Justice of the peace before whom hee shall take his Oath of the truth of what hee is to Deliver in Concerning the Estate.

That two pence in the pound Allowed to Constables for Attachments and apprizement of Goods, is to bee understood of Goods Distreyned.

That the apprizers of the Goods of any one Dying Intestate, shall have Satisfaction Allowed them by the Court of Sessions, at the time of their nomination.

That after the Rates shall be Levyed Publick Charges are first to be Defrayed.

That it bee left to the Consideration of the Justices of the Peace at the Severall Sessions in each Riding, whether two Sessions, and one Assizes, may not bee Sufficient for the businesse of the Countrey, and what will bee the most Convenient Season for holding the Courts.

Whether March and June will bee most proper for the Sessions, and October for the Assizes.

That the Sessions in the East Riding bee kept by turnes in the Townes of Southhampton and Southhold.

That Wills and Administrations of Estates under the vallew of one hundred Pounds, are not obliged to bee Recorded at New Yorke.

Wills to bee proved and Administration granted in Sessions if the Estate bee under the value of one hundred pounds, shall pay one Shilling if one hundred pounds five Shillings and so proportionably five Shillings for each hundred pounds, towards the Defraying Court Charges.

That the Plaintiffe at the Entring of his Action shall Enter into Recognizance to pay one Dayes Cost of a Jury for each Action that shall bee brought to bee tryed at the Sessions or Assizes.

That whereas it's said in the Amendments of the Lawes, That all Graunts and Pattents are to bee brought in and renewed &c. Its to bee understood, that all old Grants which are to bee brought in, are to bee Confirmed and returned to the Parties. And where no Lawfull Grants are, or that they bee Doubtfull, New and Legall Grants shall bee obtained.

RICHARD NICOLLS.

ADDITIONS Amendments and explanacons of some things in the Lawes made and Confirmed at the Generall Court of Assizes held in New Yorke the 27th 28th and 29th Dayes of September and the 1st & 2nd Dayes of October Anno Domini 1666.

That insteed of the Salary of 20*l.* per Annum formerly Allowed to the Justices of the peace, their Charges shall from henceforth be bourne in their Attendance at the Court of Sessions or Assizes, as also all other extraordinary incedent Charges, about publick affaires, an Estimate whereof is to be given in and allowed of yearely att the Assizes.

That the Justices of the Peace for the tyme to come are to pay their proportions to the Towne Rates to which they belong and are to bee excused onely from payments in the Rates for publique Charges.

That the present high Sherriffe is to be continued in his office until the next generall Assizes at which tyme hee is to give into the Court, true and perfect accompt, of all publique Receipts and Disburstments provided that this shall no wayes Infringe the priviledge in the Law allowed to the North & West Ridings, of haveing each of them a Sherriffe in their Turnes after the expiration of the said tyme.

That the high Constable and under Sherriffe in each Riding shall after the last day in December bee dismissed and discharged, of their imployments when they are to Cleare up their accompts, with the high Sherriffe and the constable in each Towne are to collect this yeares Rate and all others for the future, and what shall be Collected by them is to remaine in their hands untill, the high Sherriffe shall give order

for the disposing thereof towards the payments of Publique Charges, which shall become Due within their Respective Towne Shipps.

That the fees heretofore due to the high Constables and under Sherriffes shall bee added for this yeare ensuing to the high Sherriffe fees.

In the Absence of a Justice of the peace or where no Justice of the peace Resides, upon extraordinary occation the Constable, and Overseers, shall have power to bind over an offender to the next Court of Sessions or assizes and to take Suertyes for their keeping the peace, or Committ such as are guilty of the breach thereof to prison If they shall see Cause.

That in Cases of Review at Sessions and appeale att the Assizes, new Evidences may bee admitted of If the Court shall see Cause.

That for the tyme to come, there shall bee held in each Riding but two Courts of Sessions in one yeare, the first to begin on the first, second and third wednesdayes in March, the latter on the first second and third wednesdayes, in June, and the Generall Court of Assizes is hereafter to begin, upon the last wednesday in October.

To the end their may bee an orderly way of empanneling of Juryes in any of the Courts of Sessions where the high Sherriffe Cannot bee present, It is therefore ordered that the Clarkes of each Sessions shall bring in a list of what Causes are entered for tryall for Juryes, three Dayes att least before the Sessions is to bee held to any two of the Justices of the peace of the same Riding who under both their hands are impowered by warrant, with equall Capacity as if the said warrant were signed by the high Sherriffe, to Summon a Sufficient Jury or Juryes to attend the publique Service in the said Sessions.

That in all Cases to bee tryed, by Juryes at the Generall Court of Assizes the number of Jurors shall be Twelve but att the Severall Courts of Ses-

sions, the same number is sufficient, as already in the Law is sett forth.

That the number of Overseers in each Towne shall before the first Tuesday in november, next bee Reduced to foure, and whereas election hath bene already made in the respective Townes of foure new overseers for this present yeare, two of them onely shall continue in their places, and the other two shall be dismist, in like manner two of the old overseers, shall bee dismissed, and the other two shall continue which choice of those, who shall keep in or be discharged of the imployment, shall be determined by the vote of the Major part of the Inhabitants of each Towne.

That the Constable and foure overseers shall for the tyme to come, have to all intents and purposes, the same power priviledges to act and to do in all matters Relating to their Towne affaires, as heretofore was in the Law allowed, to the number of eight, and that in Towne Courts the Constable and any two of them, have power to heare and decide all such matters as come within their cognizance, as formerly the Constable and foure of them might have done.

That att the tyme prescribed in the Lawes for Election of Constables and Overseers the two old overseers att present Continued shall be dismist, and two new ones are to be Chosen in their stead, and that from henceforth the Elections both for Constables and overseers in each Towne shall be by the vote of the major part of Inhabitants.

That in each towne Itt bee left to the vote of the Major part of the Inhabitants, whether att the Admission of ye Overseers into their places they shall take the oathes in the Lawes enjoyned, Alwayes provided that if any person of the towne or Stranger, have a Cause or Suit depending to bee tryed in that towne Court where the overseers are not sworne, in such cases that the person may have a lawfull objection

against their proceedings, unless the overseers objected against, do first take their oathes, which the Constable hath liberty to administer unto them.

That the publique Rates shall henceforth be payable att one Certayne tyme of the yeare which is to be att or before the last day of December, and the Constables haveing already sufficient Authority in the Law to make distress for non payment, they shall bee lyable to make good the Rates in their Townes, if any part shall bee in arreare or unpayd after the tyme prescribed.

That the arreares of the former yeares Rates shall be payd into the Constables in every towne without further delay, in the Month of December next, with the present yeares Rate.

That the payment of the Rate for publique Charges shall bee made in Corne beefe or porke, att the price herein mentioned (that is to say) wheate not exceeding 5*s.* the bushell Rye and pease 4*s*: Indian Corne 3*s.* and oates 2*s.* 6*d.* beefe att 3*d.* and porke att 4*d.* her pound and no other payment shall bee allowed of.

That whosoever shall omitt, or Refuse to bring in the valluacons of their Estates, to the Constables as is Required the Constable and overseers shall putt a vallue thereupon according to their discreations and destrayne for the same Accordingly.

That whosoever shall neglect or Refuse to obey a Speciall warrant under the Governours hand and Seale, shall bee lyable to such a fine, as the Court of Sessions or Assizes shall adjudge, according to the merritt of the Default.

That whosoever shall Reproach or Defame any Person or Persons, who have or shall Act in any publique Imployment, either in Court or otherwise or shall villifie their proceedings who serve the publique in this Goverment by Authority under his Royall Highnes the Duke of Yorke, or whosoever

hereafter shall any wayes Detract or speake against any of the Deputies signing the address, to his Royall Highnes, at the generall meeting att Hempsteed, they shall bee presented, to the next Court of Sessions, and if the Justices shall see Cause they shall from thence bee bound over, to the assizes their to Answer for the Slander, upon plaint or Information.

Whereas in the Amendments or the Lawes formerly sett forth under the head (Marriage) It is said, that all persons are to bee accompted of fitt age to marry, when the man hath attained to the age of 21 and the woman of 18 yeares, itt is to bee understood, of such persons onely as are under guardianshipp, and itt is not in any wayes to take of the naturall bounds of Duty and obligation which Children owe to their parents.

That the payment of Jurymen, shall bee by abatements in their Rates in the townes where they Inhabite which upon Certificate of their service from the Clarks of the Courts of Assizes or Sessions, shall bee allowed them by the Constable.

Whereas divers Complaints have bene made that nowithstanding, the penaltyes in the law sett forth severall persons do presume to sell liquors to the Indians whereby oftentimes greate Disorders are Committed, but what is done by them in that kinde is acted so privately that seldome any other proof thereof can bee made then by some of the Indians themselves, It is therefore ordered that although the testimony of Hethens against Christians may not altogether bee allowed, yet when it meets with other apparrant circumstances, such as may bee sufficient to Convince a Jury, in such cases the Indian Testimonyes, shall bee admitted as good proofes against the persons accused.

The Court haveing taken notice of the defects and faileings of both townes and persons in perticuler of not bringing in their grants or pattents to Receive a

Confirmacon of them, or not comeing to take out new grants where they are defective or where there are none at all, according to former directions in the law, As also takeing itt into their serious Considera-cons that severall townes and persons within this Go-verment as well English as Dutch do hould their Lands and houses upon the Conditions of being Subjects to the States of the united Belgicke Provin-ces, which is contrary to the Allegiance due to his Majestie, they do therefore order that all grants or pattents whatsoever formerly made shall bee brought in to bee confirmed, or Renewed by Authority of his Royall Highnes the Duke of Yorke, and all such as have not pattents, shall likewise bee Supplied there-with, by the first day of Aprill next after the date hereof, after which tyme, neither Towne or private person whether English or Dutch, shall have liberty to plead any such old grants pattents or Deeds of purchase in Law, but they shall be looked upon as invalid to all intents and purposes.

By order of the Governour
and Court of Assizes,

MATTHIAS NICOLLS Secr.

ORDERS made and Confirmed at the Generall Court of Assizes held in New Yorke begining on the 2nd and ending on the 7th Day of October in the 24th yeare of his Majesties Reigne, Anno Domini 1672.

1st. Whereas great Abuse hath been practized in the Goverment by private persons prosecuting their Servants with Hue and Cryes at the publick Charge, the Gayne whereof redounds only to themselves, It is from henceforth Ordered That the Charges of all Hue & Cryes shall bee borne by the respective person concerned; for the better securing whereof Caution is to bee given by those who take them out and prosecute them unless in Cases of Criminalls, or upon Capitall Crimes where all Officers and others are obliged to use their Endeavour to secure them to bee brought to condigne punishment, which is to bee bourne at the publick Charge, if the person offending hath not wherewith to make Satisfaction.

2. Whereas it hath been taken into Consideration how great Abatement there is in the Rates of severall Townes upon the Account of Wolves discounted with the Constables, within whose Lymitts they are killed, so that the Summe to be collected doth not Answer the Expectation of the publick Charge, It is Ordered, that the Summe of Twenty five Shillings lately given for a Wolves Head shall be reduced to twenty Shillings as formerly, and for Whelps proportionably, and that for the time to come for all Wolves which shall be killd within the Bounds of any Towne upon Long Island and parts adjacent, the one half of the Charge shall bee borne by the Towne, and tother by the Publick; It is also Ordered, That each Towne bee obliged for the preservacon of their

Stock and Cattle to make and maintain Wolve pitts which are to bee directed by the respective Officers of the Townes to which they do belong.

3. Whereas frequent Complaints have been made of Servants who runn away from their Masters into other Goverments, for want of due Care and Examinacon of them by the Magistrates or Officers of the Townes through which they pass, It is Ordered, that if hereafter any Stranger or person unknown shall come to, or travill through any Towne or place within this Goverment without a Pass port or Certificate from whence hee came and whither he is bound, shall bee lyable to bee Seized upon by any Officer of the Towne or Place unto which hee comes, or through which he shall travill, there to bee Secured untill hee can Cleare himselfe to bee a free Man, and shall defray the Charges of his Detention there, by his worke or Labour (if not otherwise able to give Satisfaction) in the best way and Manner he shall bee found capable.

4. Vpon its being represented to this Court that notwithstanding the positive Law and ye Severall Orders of Assizes and otherwise That English Weights and Measures shall bee only used in these his Royall Highness Territoryes, which hath hitherto been respited for want of Measures for Liquids and due Standards, It is Ordered that the practice thereof bee noe longer delayed but the same putt in Execution by the 25th Day of March next under the penalty in the Law prescribed, or what shall further bee adjudged by the Governour and his Councell.

5. It is likewise Ordered, In regard of the great Inconvenience and Decay of Feed for Horses and Cattle in the Woods by the increase of the Brush or Under wood, which is suffred to grow up without any care taken to subdue the same, That four Dayes be appointed once every yeare for all the Inhabitants of the Townes upon Long Island and Precincts, from

the Age of 16 to 60 (except those exempted by the Law to go into the Woods to cutt the said Brush or Under wood) the time to bee at the discretion of the Officers of each Towne, and whosoever shall faile therein, each particular person shall pay for every dayes default the value of five Shillings.

6. That the Boundaryes of Townes be attended as the Law and their respective Patents doth direct, and that the Perambulacon bee made accordingly, in which if any Defectibility shall appear at either of the Courts of Ssssions to bee held in the Month of June next, the Towne soe failing shall forfeite the Sume of Ten pounds to the Publick.

7. That the Lawes of the Goverment be duely observed as to parochiall Churches, and that although divers persons may bee of Different Judgments, yett all shall contribute to the Minister Establisht and allowed of, which is noe way judged to bee an Infringment of the Liberty of Conscience, to the which they may pretend.

8. That forasmuch as many and great Complaints have been made against Hogg Stealers, as also against Stealers of Boats, Canooes, and their Appertenances, notwithstanding the strictness of the Lawes to the contrary, and Orders to reinforce the same, in the which divers having been found guilty, and have past the Censure of the Law, for a greater Terror to any Person, who shall for the future attempt to doe the like, It is Ordered that the person soe offending and convicted for the Same, shall for the first Offence besides a fine to be imposed by the Court receive the Corporall punishment of haveing one of his Ears cutt off to bee an Example to all others, and for the next receive some more severe punishment, as the Court shall direct or Judge meet.

9. That the High Sheriffs upon Long Island, Constables, and Clarkes of Sessions who have not yet brought in their Accompts to bee audited and allow-

ed of doe without further delay performe the same by the time wherein the next Court of Sessions is to bee held in the respective Ridings to the which they doe belong unto some Persons then to bee appointed to receive the same under the penalty in the Law sett forth, or such farther Mulct as shall be adjudged by the Governour and his Councell.

10. Whereas upon the extraordinary Occation of Re-------tion of the forte in the Citty of New Yorke, the which as recommended from the Governour, every Towne and Corporation within this Province, as also particular persons have by their free Consents and Subscriptions contributed towards the same, the collection whereof in the severall Townes in Country pay, by other then by themselves will bee found both inconvenient, troublesome, and of soe great Charge that it will not answer the End prescribed, the which having by most been thitherto soe well begunn and prosecuted, that it may have a happy Conclusion, It is thought fitt and ordered, That the Charge of Collecting and transmitting the Contribution aforesaid to this City or the ferry shall bee borne by each respective Towne or distinct Person who hath subscribed the same, and that the payment thereof bee made accordingly before the feast of Christmas next.

11. Whereas severall Applications have been made as well to his Honour the Governour as unto this Court, some representing the Convenience, others the Inconvenience of continuing the Prohibicon of the Exportacon of wheat in Grayne or Meale, the time limited for the same being now expired, upon due Consideration had hereupon, It is Ordered, That the Prohibition for the Transportation of Corne shall bee repealed, And it shall and may bee Lawfull for any man to transport Wheat in Grayne or Meale from any part of this Goverment to Boston or any other place, as long as the price currant of good Merchantable winter Wheat shall bee there 4*s*. 6*d*. and good

Summer Wheat 4*s*. the Bushell or above in Silver, but that none presume to sell it abroad under that price, upon the penalty of forfeiture of the vallue of what shall bee soe disposed of; And if any Strangers shall come to buy Corne, the same shall not bee sold unto them under 4*s*. per Bushell or 3*s*. 6*d*. in Silver or Goods Equivalent under the like penalty as before, And that this Order bee in force for the space of one yeare, untill the Convenience or Inconvenience thereof shall appeare.

12. Whereas It is thought expedient that a certaine Regulation should bee made upon the Silver Coyne which passeth to and fro in this Goverment by the Certainty of its vallue, It is Ordered, that a Boston Shilling shall pass for one Shilling, and a good piece of Eight of Spanish Coyne whether of Mexico, Sevill, or a pillar piece shall be vallued and goe for six Shillings in any payment either for Debt and Demands or purchasing of Goods and Merchandize between Man and Man.

By Order of the Governour
and Court of Assizes.

MATTHIAS NICOLLS Secr.

ORDERS made at the Generall Court of Assizes held in New Yorke, beginning on the 6th and ending on the 13th day of October in the 27th yeare of his Majesties Reigne Anno Domini 1675.

Vpon consideration of the Mischief that too frequently happens by carrying Liquors and goods to trade with the Indians at their Plantations, where in Case of Disorders or Abuses small reliefe can bee expected amongst them; It is ordered, that throughout the Goverment there bee noe Trading upon any Account with the Indians at their Plantations.

That the Law bee likewise observed which prohibits selling strong Liquors to the Indians in Yorkshire upon Long Island and Dependences.

And that pursuant to the Law, the Constables of the severall Townes take care noe Powder or Lead bee sold to the Indians but by them as directed, or by their consent.

The Proclamation sett forth by the Governour about Block Houses &c. being approved of, Its Ordered strictly to bee observed.

Vpon a Proposall whether it will not bee convenient at this juncture of time of the Indians Disturbance to the Eastward, to bring all Canooes on the North side of Long Island to this place, or to have them all destroyed to prevent any Entercourse with the Indians on the Maine and our Indians or that these Canoes bee brought to the next Townes, and secured by the Officers; Its Resolved That all Canooes whatsoever belonging to Christians or Indians on the north side of Long Island to the East of Hell-gate shall within three Dayes after the publication hereof bee brought to the next Towne and delivered into the Constables Custody to bee laid up and secured by

them neare their Block Houses, And that whatever Canooe shall bee found upon the Sound after that time bee destroyed.

That the Indians at Mr. John Pells on Anne Hooks Neck bee ordered to remove within a fortnight to their Usuall Winter Quarters within Hell-gate upon this Island during which time Loaden Canooes which shall have Certificates from the Magistrates of the Place from whence they come expressing whether they are goeing shall bee permitted quietly to passe along the Shore, except out of the Goverment, which in noe case is to bee allowed.

It being taken into Consideration whether it bee not proper to have English Weights and Measures to bee used according to the Law; It is Ordered that in three months after the publication thereof, the same shall bee putt in practice in this City, Long Island, and parts adjacent; and in six months in all other parts throughout the Goverment: And that whosoever shall after that time presume to use any other Weights or Measures, shall forfeit all that they shall soe sell; and bee lyable to such further punishment for Contempt as the Case shall require.

The time of the Proclamations prohibiting the Exportation of Corne, and also that of floure &c. being expired, the same being taken into consideration, and the Present Scarcity, It is Ordered, that the Prohibitions for the Exporting of Corne or floure doe still continue in force for the Terme of six Months after the Date hereof.

The payment in the Rates for Horses and Horse kinde being recommended from the Towne of Southampton, and other Townes at the East end of Long Island to bee considered of whether not too high, It being soe much above the present value; Ordered that the Rates doe continue as they now are: And that all persons who have Horses upon Long Island doe within the space of six months prove their Horses before the Constable and Overseers, or Chiefe Officers of

the respective Townes to which they doe belong, and such as shall be found unmarkt according to Law shall bee forfeited, the one halfe to his Royall Highnesse, the other halfe to the Towne to which they shall bee brought: And that noe person presume to marke any Horse or Colt, but before the Constable and Overseers, or Chiefe Officer of the Place.

That all Persons upon Long Island who have Estates from the value of 20*l.* to 100*l.* may keep one Breeding Mare, and noe more; And soe proportionably for every 100*l.* one. But may have as many working Geldings or Horses of Size according to Law, as he shall have Occation of, and double the number in the woods.

That all Persons who are single, though but of 20*l.* Estate may keep one Gelding or Horse at home, and in the Woods proportionably.

Upon Complaint of the Great Abuse at the East end of Long Island in their Oyle Cask &c: It is Ordered that there bee a Sworne Gager and Tapper of Oyle in the respective Townes where the Whaling Design is followed. And upon the Peticon and Complaint of severall Coopers in those parts concerning the making of Oyle Cask, and great deceipt used by Stranger Coopers, It is likewise Ordered That noe Cooper shall bee admitted to make Caske without the Consent of the Magistrates and Officers of the respective Townes, and that the Sworne Gagers and Packers chosen and authorized according to Law, shall have the same Inspection of Oyle Cask, and viewing of Oyle, as for Beefe, Porke &c: and to have the same Allowance; and the Defaulters to incurr the like Penalty.

The Oyle Cask or Barrells are to containe thirty-one Gallons and a halfe.

And that every Towne whom it doth or may concerne (if not now already provided) doe forthwith make a fitt Choice of a Gager and Packer to officiate as before according to Law: In Default whereof to answer it at their Perills.

The Church Affaires being taken into Consideration, and particularly the Maintenance of the Ministry, It is Ordered, that towards the Maintenance of the Ministry, besides the Usuall Countrey Rate, there shall bee a Double Rate levyed upon all those Townes that have not already a sufficient Maintenance for a Minister.

Upon Proposall of having a fayre and Markett in or neare this City, It is Ordered, That after this Season, there shall yearely bee kept a fayre and Markett at Breucklyn neare the ferry, for all Grayne, Cattle, or other Produce of the Countrey, to bee held the first Munday, Tuesday, and Wednesday in November; and in the City of New Yorke, the Thursday, Friday and Saturday following.

Ordered, That in case there should happen a Warr with the Indyans in this Goverment (which God forbidd) for the better carrying on of the same one or more Rates shall be Levyed, according as there shall bee Occation, An accompt whereof to bee given to the following Court of Assizes.

Ordered, That in all Cases, the Magistrates through the whole Goverment are required to doe Justice to the Indians as well as Christians.

That by reason of the Separation by Water, Staten Island shall have a Jurisdiction of itselfe; and to have noe farther dependance on the Courts of Long Island, nor on their Militia.

By Order of the Generall Court of Assizes,

MATTHIAS NICOLLS, Secr.

This writing as above, is a true copy of the original, examined and compared by me,

ELISHA MULFORD, *Town Clerk.*

Easthampton, 29*th July*, 1798.

END OF THE FIRST VOLUME.

BINDING SECT. MAY 25 1967

F
116
N62
v.1

New York Historical Society
Collections

PLEASE DO NOT REMOVE
CARDS OR SLIPS FROM THIS POCKET

UNIVERSITY OF TORONTO LIBRARY